

# **BULKY DOCUMENTS**

(exceeds 300 pages)

**Proceeding/Serial No:** 91161373

**Filed:** 08-25-2006

**Title:** Opposer's Notice of Reliance Under Rule  
2.122(e)

**Part 1 of 2**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AMERICAN ITALIAN PASTA COMPANY )

Opposer, )

v. )

BARILLA G. E R. FRATELLI - SOCIETA  
PER AZIONI, )

Applicant. )

Opposition No. 91161373

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**OPPOSER'S NOTICE OF RELIANCE UNDER RULE 2.122(e)**

Notice is hereby given, pursuant to Trademark Rule 1.222(e), that Opposer, American Italian Pasta Company, is filing and placing in evidence Opposer's Exhibits 115 through 218, and will rely upon as evidence the following decisions as copies of official records:

Opposer's Exhibit 115      American Italian Pasta Company v. New World Pasta, Civil Action No. 02-0594-CV-W-SOW, Opinion dated February 25, 2003.

Opposer's Exhibit 116      American Italian Pasta Company v. New World Pasta, Appeal No. 03-2065, Opinion dated June 7, 2004.

These opinions are relevant to Opposer's historical use of AMERICA'S FAVORITE PASTA, the fact that the mark is puffery and has been consistently used as a trademark and not a statement of fact.

Opposer's Exhibit 117      Certified copy of U.S. Registration No. 2,467,054 for AMERICA'S FAVORITE TRUCK CAMPER

Opposer's Exhibit 118      Certified copy of U.S. Registration No. 2,076,574 for AMERICA'S FAVORITES

Opposer's Exhibit 119      Certified copy of U.S. Registration No. 1,605,872 for AMERICA'S FAVORITE MAIL,

Opposer's Exhibit 120	Certified copy of U.S. Registration No. 2,149,887 for AMERICA'S FAVORITE CHOCOLATE CHIP COOKIE!
Opposer's Exhibit 121	Certified copy of U.S. Registration No. 2,425,990 for DELTA CERAMCOAT - AMERICA'S FAVORITE ACRYLIC PAINT
Opposer's Exhibit 122	Certified copy of U.S. Registration No. 1,924,855 for AMERICA'S FAVORITE
Opposer's Exhibit 123	Certified copy of U.S. Registration No. 2,606,105 for AMERICA'S FAVORITE PBX ASSISTANT
Opposer's Exhibit 124	Certified copy of U.S. Registration No. 2,590,034 for AMERICA'S FAVORITE FAX ASSISTANT
Opposer's Exhibit 125	Certified copy of U.S. Registration No. 2,590,035 for AMERICA'S FAVORITE E-MAIL ASSISTANT
Opposer's Exhibit 126	Certified copy of U.S. Registration No. 2,572,410 for AMERICA'S FAVORITE COOKIE
Opposer's Exhibit 127	Certified copy of U.S. Registration No. 2,034,322 for AMERICA'S FAVORITE ON THE GO
Opposer's Exhibit 128	Certified copy of U.S. Registration No. 2,077,329 for AMERICA'S FAVORITE JELLY BEAN
Opposer's Exhibit 129	Certified copy of U.S. Registration No. 2,347,915 for AMERICA'S FAVORITE SOUR GUM
Opposer's Exhibit 130	Certified copy of U.S. Registration No. 2,054,560 for AMERICA'S FAVORITE FAVORS
Opposer's Exhibit 131	Certified copy of U.S. Registration No. 2,566,340 for AMERICA'S FAVORITE WATER HEATER
Opposer's Exhibit 132	Certified copy of U.S. Registration No. 2,224,026 for BONGO BLUE JEANS ALWAYS AMERICA'S FAVORITE
Opposer's Exhibit 133	Certified copy of U.S. Registration No. 2,063,618 for PLAY AMERICA'S FAVORITE PASTIME WITH AMERICA'S FAVORITE BEER
Opposer's Exhibit 134	Certified copy of U.S. Registration No. 1,777,517 for AMERICA'S FAVORITE MUSHROOM

Opposer's Exhibit 135	Certified copy of U.S. Registration No. 2,155,994 for AMERICA'S FAVORITE SOFT PRETZEL
Opposer's Exhibit 136	Certified copy of U.S. Registration No. 1,791,096 for AMERICA'S FAVORITE
Opposer's Exhibit 137	Certified copy of U.S. Registration No. 2,308,087 for CHICKEN AMERICA'S FAVORITE
Opposer's Exhibit 138	Certified copy of U.S. Registration No. 2,315,085 for CHICKEN AMERICA'S FAVORITE
Opposer's Exhibit 139	Certified copy of U.S. Registration No. 2,506,337 for AMERICA'S FAVORITE REPLACEMENT WINDOW
Opposer's Exhibit 140	Certified copy of U.S. Registration No. 2,561,713 for AMERICA'S FAVORITE CHEESESTEAK
Opposer's Exhibit 141	Certified copy of U.S. Registration No. 1,899,204 for AMERICA'S FAVORITE OIL CHANGE
Opposer's Exhibit 142	Certified copy of U.S. Registration No. 2,639,844 for AMERICA'S FAVORITE FEAST
Opposer's Exhibit 143	Certified copy of U.S. Registration No. 3,072,727 for AMERICA'S FAVORITE TOOL STORE
Opposer's Exhibit 144	Certified copy of U.S. Registration No. 1,817,597 for AMERICA'S FAVORITE
Opposer's Exhibit 145	Certified copy of U.S. Registration No. 2,712,272 for AMERICA'S FAVORITE MARKETPLACE
Opposer's Exhibit 146	Certified copy of U.S. Registration No. 1,706,042 for AMERICA'S FAVORITE
Opposer's Exhibit 147	Certified copy of U.S. Registration No. 1,837,304 for AMERICA'S FAVORITE HOLIDAY CANDY
Opposer's Exhibit 148	Certified copy of U.S. Registration No. 2,263,243 for AMERICA'S FAVORITE
Opposer's Exhibit 149	Certified copy of U.S. Registration No. 2,590,033 for AMERICA'S FAVORITE RECEPTIONIST



Opposer's Exhibit 150	Certified copy of U.S. Registration No. 2,590,036 for AMERICA'S FAVORITE VOICE MAIL
Opposer's Exhibit 151	Certified copy of U.S. Registration No. 2,641,675 for AMERICA'S FAVORITE SNACK CAKES
Opposer's Exhibit 152	Certified copy of U.S. Registration No. 2,806,008 for AMERICA'S FAVORITE HUMMUS
Opposer's Exhibit 153	Certified copy of U.S. Registration No. 2,392,406 for AMERICA'S FAVORITE KARTING STORE!
Opposer's Exhibit 154	Certified copy of U.S. Registration No. 2,853,695 for TUMARO'S GOURMET TORTILLAS AMERICA'S FAVORITE GOURMET TORTILLAS
Opposer's Exhibit 155	Certified copy of U.S. Registration No. 2,122,025 for AMERICA'S FAVORITE ON THE GO!
Opposer's Exhibit 156	Certified copy of U.S. Registration No. 2,119,233 for AMERICA'S FAVORITE SINCE
Opposer's Exhibit 157	Certified copy of U.S. Registration No. 1,674,342 for AMERICA'S FAVORITE 25K
Opposer's Exhibit 158	Certified copy of U.S. Registration No. 2,479,220 for AMERICA'S FAVORITE WORKBOOTS
Opposer's Exhibit 159	Certified copy of U.S. Registration No. 2,953,789 for AMERICA'S FAVORITE 1 LB. DELI-POUCH
Opposer's Exhibit 160	Certified copy of U.S. Registration No. 2,934,459 for AMERICA'S FAVORITE BUSINESS GIFTS
Opposer's Exhibit 161	Certified copy of U.S. Registration No. 2,306,720 for AMERICA'S FAVORITE BUSINESS GIFTS
Opposer's Exhibit 162	Certified copy of U.S. Registration No. 2,458,792 for AMERICA'S FAVORITE SKINLESS CHICKEN SINCE 1981
Opposer's Exhibit 163	Certified copy of U.S. Registration No. 2,420,309 for AMERICA'S FAVORITE SKINLESS CHICKEN SINCE 1981
Opposer's Exhibit 164	Certified copy of U.S. Registration No. 2,712,277 for AMERICA'S FAVORITE MARKETPLACE

Opposer's Exhibit 165	Certified copy of U.S. Registration No. 2,994,383 for AMERICA'S FAVORITE POPCORN
Opposer's Exhibit 166	Certified copy of U.S. Registration No. 2,740,021 for FESTIVAL MARKETPLACE, AMERICA'S FAVORITE MARKETPLACE
Opposer's Exhibit 167	Certified copy of U.S. Registration No. 2,868,126 for AMERICA'S FAVORITE MATTRESS
Opposer's Exhibit 168	Certified copy of U.S. Registration No. 2,359,173 for AMERICA'S FAVORITE CANDIES
Opposer's Exhibit 169	Certified copy of U.S. Registration No. 2,768,392 for AMERICA'S FAVORITE SHOPPING DESTINATIONS
Opposer's Exhibit 170	Certified copy of U.S. Registration No. 2,242,272 for AMERICA'S FAVORITE OMELETTES
Opposer's Exhibit 171	Certified copy of U.S. Registration No. 2,520,064 for AMERICA'S FAVORITE MUSHROOM
Opposer's Exhibit 172	Certified copy of U.S. Registration No. 2,331,109 for MISTER SPARKY AMERICA'S FAVORITE ELECTRICIAN
Opposer's Exhibit 173	Certified copy of U.S. Registration No. 2,864,842 for AMERICA'S FAVORITE GARAGE DOORS
Opposer's Exhibit 174	Certified copy of U.S. Registration No. 2,244,139 for AMERICA'S FAVORITE FRIES
Opposer's Exhibit 175	Certified copy of U.S. Registration No. 2,360,994 for AMERICA'S FAVORITE FRIES
Opposer's Exhibit 176	Certified copy of U.S. Registration No. 1,296,999 for "AMERICA'S FAVORITE BOAT RIDE"
Opposer's Exhibit 177	Certified copy of U.S. Registration No. 2,956,254 for AMERICA'S FAVORITE BOATS
Opposer's Exhibit 178	Certified copy of U.S. Registration No. 2,901,133 for AMERICA'S FAVORITE SHOPPING NEWS
Opposer's Exhibit 179	Certified copy of U.S. Registration No. 2,762,465 for TUMARO'S AMERICA'S FAVORITE GOURMET TORTILLA

Opposer's Exhibit 180	Certified copy of U.S. Registration No. 2,760,452 for AMERICA'S FAVORITE HOME PARTY CANDLES
Opposer's Exhibit 181	Certified copy of U.S. Registration No. 1,858,052 for AMERICA'S FAVORITE STORES FOR PEOPLE WHO LOVE TO MAKE MUSIC
Opposer's Exhibit 182	Certified copy of U.S. Registration No. 2,961,590 for AMERICA'S FAVORITE CRABMEAT
Opposer's Exhibit 183	Certified copy of U.S. Registration No. 2,419,870 for TUMARO'S GOURMET TORTILLAS – AMERICA'S FAVORITE
Opposer's Exhibit 184	Certified copy of U.S. Registration No. 2,367,259 for AMERICA'S FAVORITE ON-LINE SHRINK
Opposer's Exhibit 185	Certified copy of U.S. Registration No. 2,558,945 for AMERICA'S FAVORITE PIZZA FEAST
Opposer's Exhibit 186	Certified copy of U.S. Registration No. 2,586,743 for AMERICA'S FAVORITE QUIZ SHOW
Opposer's Exhibit 187	Certified copy of U.S. Registration No. 2,514,110 for AMERICA'S FAVORITE MUSIC
Opposer's Exhibit 188	Certified copy of U.S. Registration No. 2,390,933 for TEMO SUNROOMS "AMERICA'S FAVORITE ENVIRONMENT"
Opposer's Exhibit 189	Certified copy of U.S. Registration No. 2,706,118 for THE BOUNDARY WATERS JOURNAL THE MAGAZINE OF AMERICA'S FAVORITE WILDERNESS AREA
Opposer's Exhibit 190	Certified copy of U.S. Registration No. 2,164,875 for AMERICA'S FAVORITES MADE FRESH
Opposer's Exhibit 191	Certified copy of U.S. Registration No. 2,154,372 for AMERICA'S FAVORITE CORN DOG
Opposer's Exhibit 192	Certified copy of U.S. Registration No. 2,711,987 for CHECKS - AMERICA'S FAVORITE WAY TO PAY
Opposer's Exhibit 193	Certified copy of U.S. Registration No. 2,299,622 for AMERICA'S FAVORITE FOODS PRESTO

Opposer's Exhibit 194	Certified copy of U.S. Registration No. 2,722,791 for AMERICA'S FAVORITE FLAVORS
Opposer's Exhibit 195	Certified copy of U.S. Registration No. 1,791,773 for AMERICA'S FAVORITE PIZZA FEAST
Opposer's Exhibit 196	Certified copy of U.S. Registration No. 2,932,044 for AMERICA'S FAVORITE SANDWICH PLACE
Opposer's Exhibit 197	Certified copy of U.S. Registration No. 1,624,014 for AMERICA'S FAVORITE VACATION LIFESTYLE
Opposer's Exhibit 198	Certified copy of U.S. Registration No. 3,125,087 for AMERICA'S FAVORITE CHEESECAKE
Opposer's Exhibit 199	Certified copy of U.S. Registration No. 2,997,476 for TRACKER AMERICA'S FAVORITE BOATS
Opposer's Exhibit 200	Certified copy of U.S. Registration No. 2,689,567 for AMERICA'S FAVORITE
Opposer's Exhibit 201	Certified copy of U.S. Registration No. 1,810,310 for AMERICA'S FAVORITE MUSIC
Opposer's Exhibit 202	Certified copy of U.S. Registration No. 1,601,596 for AMERICA'S FAVORITE NEIGHBOR
Opposer's Exhibit 203	Certified copy of U.S. Registration No. 2,209,885 for ATLANTIC CITY AMERICA'S FAVORITE PLAYGROUND
Opposer's Exhibit 204	Certified copy of U.S. Registration No. 782,607 for AMERICA'S FAVORITE NUTS
Opposer's Exhibit 205	Certified copy of U.S. Registration No. 2,667,446 for AMERICA'S FAVORITE DOWN PAYMENT GIFT PROGRAM
Opposer's Exhibit 206	Certified copy of U.S. Registration No. 2,903,131 for AMERICA'S FAVORITE GARAGE DOORS
Opposer's Exhibit 207	Certified copy of U.S. Registration No. 1,256,452 for AMERICA'S FAVORITE FUND RAISING PRODUCTS CO.

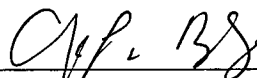
Opposer's Exhibit 208	Certified copy of U.S. Registration No. 3,080,992 for AMERICA'S FAVORITE TACKLEBOXES
Opposer's Exhibit 209	Certified copy of U.S. Registration No. 2,586,795 for AMERICA'S FAVORITE BOATING SUPPLY SOURCE
Opposer's Exhibit 210	Certified copy of U.S. Registration No. 2,535,729 for AMERICA'S FAVORITE GOLF SCHOOLS
Opposer's Exhibit 211	Certified copy of U.S. Registration No. 2,098,790 for AMERICA'S FAVORITE KETCHUP
Opposer's Exhibit 212	Certified copy of U.S. Registration No. 1,924,317 for BUMPERS AMERICA'S FAVORITE FOODS
Opposer's Exhibit 213	Certified copy of U.S. Registration No. 2,520,689 for AMERICA'S FAVORITE WAY TO PAY
Opposer's Exhibit 214	Certified copy of U.S. Registration No. 1,638,019 for AMERICA'S SNACK FAVORITE

These registrations are relevant to show that marks that include "AMERICA'S FAVORITE" or variations of those terms - such as Opposer's mark AMERICA'S FAVORITE PASTA - are both capable of acquiring distinctiveness and functioning as a trademark.

Opposer's Exhibit 215	Copy of Application - Serial No. 78/136,708 for BARILLA - AMERICA'S PREFERRED PASTA
Opposer's Exhibit 216	Copy of Application - Serial No. 78/136,706 for BARILLA - AMERICA'S #1 PASTA
Opposer's Exhibit 217	Copy of Application - Serial No. 78/136,703 for BARILLA - AMERICA'S FAVORITE PASTA
Opposer's Exhibit 218	Copy of Application - Serial No. 78/136,701 for BARILLA - AMERICA'S BEST PASTA

These applications are relevant to show that Barilla lacked a bona fide intent, under circumstances showing the good faith of such person, to use BARILLA - AMERICA'S FAVORITE PASTA because it sought to register multiple marks that convey largely the same commercial impression.

Respectfully submitted,



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CERTIFICATE OF MAILING

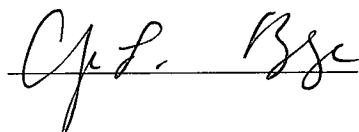
The undersigned hereby certifies that *Opposer's Notice of Reliance Under Rule 2.122(e)* is being deposited with the United States Postal Service as First Class U.S. Mail addressed to:

Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, VA 22313-1451

on this 13<sup>th</sup> day of November, 2006.

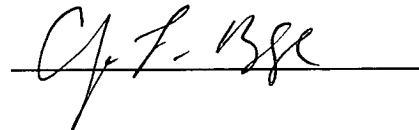


CERTIFICATE OF SERVICE

The undersigned hereby certifies that the attached *Opposer's Notice of Reliance Under Rule 1.222(e)* has been served on Applicant via First Class U.S. Mail to the following address:

G. Franklin Rothwell  
Brian E. Banner  
ROTHWELL, FIGG, ERNST & MANBECK P.C.  
1425 K Street, NW, Suite 800  
Washington, DC 20005  
Fax: (202) 783-6031

on this 13<sup>th</sup> day of November, 2006.

A handwritten signature in dark ink, appearing to read "G. F. Rothwell", is written over a horizontal line.

**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 115**



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

AMERICAN ITALIAN PASTA COMPANY	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 02-0594-CV-W-SOW
	)	
NEW WORLD PASTA COMPANY	)	
	)	
Defendant.	)	

ORDER

Before the Court are defendant New World Pasta Company's Motion for Partial Summary Judgment (Doc. #26), plaintiff American Italian Pasta Company's Suggestions in Opposition, and defendant's Reply. For the reasons stated herein, defendant's motion is denied.

I. Background

Plaintiff American Italian Pasta Company ("AIPC") filed a Complaint for Declaratory Judgment on June 18, 2002. Plaintiff's Complaint seeks a declaratory judgment pursuant to 28 U.S.C. §2201(a) that its use of the phrase "America's Favorite Pasta" on its pasta packaging and in advertising and promoting its pasta products does not constitute false advertising in violation of 15 U.S.C. §1125(a)(1)(B).

Defendant New World Pasta Company ("New World") responded to plaintiff's Complaint by filing an Answer and Counterclaim on August 2, 2002. In the Answer and Counterclaim, New World alleges that AIPC's use of the advertising claim "America's Favorite Pasta" on its Mueller's branded dried pastas is literally false because it conveys to consumers that Mueller's is a national brand of pasta and is the number one selling brand of pasta in the country. New World alleges that Mueller's branded pasta is not sold anywhere west of the Mississippi River and is, at

best, in second place in sales. New World asserts that AIPC's advertising claim "America's Favorite Pasta" on its Mueller's branded pasta is a false representation in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a) and in violation of the unfair competition laws of seventeen states in which Mueller's pasta is sold. New World seeks injunctive relief and damages.

New World has filed a motion for partial summary judgment. The following undisputed material facts are relevant to the pending motion: AIPC has been manufacturing Mueller's dried pasta since 1997. From 1997 through November of 2000, AIPC manufactured Mueller's dried pasta for Best Foods. Then, on or about November 14, 2000, AIPC purchased the exclusive rights to own all aspects of the Mueller's pasta business. At that time, AIPC assumed responsibility for packaging, distribution, pricing, and marketing of the Mueller's brand pastas.

The phrase "America's Favorite Pasta" has appeared continuously on Mueller's pasta packaging since at least November of 2000.<sup>1</sup> These packages are placed on product shelves next to competitive brands of pasta at the point of purchase. The phrase "America's Favorite Pasta" has also been used in advertising materials for Mueller's brand pasta products.

The parties agree that Barilla was the largest seller of dried pasta in the United States during the year 2002. Similarly, it is undisputed that in its 2001 Annual Report, AIPC did not claim that Mueller's is the largest selling brand of dried pasta in the United States. In addition, it is undisputed that Mueller's brand pasta is not sold anywhere west of the Mississippi River. The advertising and packages for AIPC's Mueller's brand of dried pasta products have not claimed

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<sup>1</sup>There is a dispute between the parties as to whether or not the phrase "America's Favorite Pasta" was used on packages of Mueller's brand pasta between 1997 and 2000 while AIPC was manufacturing the pasta for Best Foods.

that Mueller's is the best-selling pasta in the United States. Mueller's claims a brand heritage starting in 1867 and it has been continuously sold through the present.

On May 21, 2002, defendant New World sent a letter to plaintiff AIPC demanding that AIPC assure New World in writing no later than May 29, 2002 that by July 2, 2002, AIPC would cease all use of the phrase "America's Favorite Pasta" for Mueller's products. On June 20, 2002, AIPC filed this lawsuit seeking a declaratory judgment that its use of the phrase "America's Favorite Pasta" does not violate § 43(a) of the Lanham Act.

In addition to these undisputed material facts, defendant New World contends that a substantial number of consumers perceive AIPC's phrase "America's Favorite Pasta" as conveying that Mueller's is the number one selling pasta in the country. New World also asserts that a substantial number of consumers perceive the phrase as conveying that Mueller's is a national brand of pasta available everywhere in the country. New World's allegations are based on the results of a consumer survey. Plaintiff AIPC disputes New World's allegations, claiming that these conclusions are unreliable due to the flawed methodology and analysis found in the protocol of the study relied upon by New World.

## II. Standard

A motion for summary judgment should be granted if, viewing the evidence in the light most favorable to the non-moving party, there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c); Rafos v. Outboard Marine Corp., 1 F.3d 707, 708 (8<sup>th</sup> Cir. 1993) (citing Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)). A defendant who moves for summary judgment has the burden of showing that there is no genuine issue of fact for trial. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 256 (1986). A plaintiff opposing a properly supported motion for summary judgment may not rest upon the

allegations contained in the pleadings, “but must set forth specific facts showing there is a genuine issue for trial.” Id.

### III. Discussion

Defendant New World alleges that plaintiff AIPC’s use of the phrase “America’s Favorite Pasta” on its Mueller’s brand pasta packaging and in advertising materials for its Mueller’s brand pasta is literally false and violates the Lanham Act. In the alternative, New World argues that AIPC’s use of the phrase is impliedly false and misleading. AIPC contends that the phrase is non-actionable puffery.

#### A. Literal Falsity

To demonstrate falsity within the meaning of the Lanham Act, a plaintiff may show (1) that the statement is literally false as a factual matter or (2) that the statement is literally true or ambiguous but it implicitly conveys a false impression, is misleading in context, or is likely to deceive consumers. United Industries Corp. v. The Clorox Co., 140 F.3d 1175, 1180 (8<sup>th</sup> Cir. 1998) (citations omitted). Defendant New World alleges that AIPC’s use of the phrase “America’s Favorite Pasta” on its Mueller’s brand pastas and in advertising those pastas is literally false. Courts determine whether an accused statement is literally false without considering factual issues about public perception of the statement. Id. “In assessing whether an advertisement is literally false, a court must analyze the message conveyed within its full context.” Id. at 1181 (citation omitted).

Defendant New World argues that within the advertising industry, claims to be America’s “favorite” are well known and “only the market leader can properly make the claim.” New World suggests that because AIPC’s Mueller’s brand is not the best-selling brand of pasta in the United States, AIPC’s use of the phrase “America’s Favorite Pasta” is literally false. This Court

disagrees.

As defendant New World concedes, there are no court decisions addressing an advertising claim of being a “favorite.” Instead, New World relies on decisions issued by the National Advertising Division of the Better Business Bureau (“NAD”). These decisions are not binding on this Court nor are they persuasive. The facts and holdings found in the NAD decisions do not support defendant’s conclusions.

The use of the term “favorite” is not literally false. The term “favorite” is ambiguous and does not necessarily refer to the best selling item in a category. It is logical that a product could be a favorite without being the best-selling product in its category. For example, a group of individual consumers could participate in a wine tasting study. Their favorite wine might be a red wine that sells for \$200 a bottle. That wine would be their favorite, but it probably would not become the best-selling red wine due to its cost.

Furthermore, as plaintiff AIPC suggests, the term “favorite” is ambiguous. It could refer to a preference in quality, taste, price, or cooking ease. Defendant has not established that the words in the phrase “America’s Favorite Pasta” have a specific meaning and that the phrase is unambiguously, literally false.

Therefore, the Court finds that as a factual matter, plaintiff’s use of the phrase “America’s Favorite Pasta” is not literally false. Defendant’s motion for summary judgment is denied as to its claim of literal falsity.

## 2. False Impression, Misleading, or Deceptive

Defendant New World argues that even if the statement is too ambiguous to be literally false, it violates the Lanham Act because it “conveys a false message to consumers.” Defendant

relies on a consumer study that it claims demonstrates that a substantial number of consumers (over 40%) perceive the advertising claim “America’s Favorite Pasta” to convey that plaintiff’s Mueller’s brand pasta is the best selling brand of dried pasta.

In order to establish that plaintiff AIPC is violating the Lanham Act, defendant New World must show:

1. a false statement of fact was made by the defendant in a commercial advertisement about its own or another product;
2. the statement actually deceived or has the tendency to deceive a substantial segment of its audience;
3. the deception is material, in that it is likely to influence the purchasing decision;
4. the defendant caused its false statement to enter interstate commerce; and
5. the plaintiff has been or is likely to be injured as a result of the false statement, either by direct diversion of sales from itself to defendant or by a loss of goodwill associated with its products.

United Indus. Corp. v. Clorox Co., 140 F.3d at 1180. A determination of implicit falsity requires either proof of wilfulness or actual material misleading of consumers. Id. at 1183.

Plaintiff AIPC argues that its use of the phrase “America’s Favorite Pasta” is non-actionable “puffery.” “A court may consider as a matter of law whether the alleged misrepresentation in an advertisement is a statement of fact, actionable under the Lanham Act, or mere puffery.” In re Century 21-RE/MAX Real Estate Adver. Claims Litig., 882 F.Supp. 915, 926 (C.D. Cal. 1994)(citing Cook, Perkiss, & Leihe, Inc. v. N. Cal. Collection Serv., 911 F.2d 242, 245 (9<sup>th</sup> Cir. 1990)).

“Puffery is exaggerated advertising, blustering, and boasting upon which no reasonable

buyer would rely and is not actionable under § 43(a).” United Indus. Corp., 140 F.3d at 1180 (internal quotations omitted). Due to their generalized nature, advertisements or statements that fall into the category of “puffery” do not meet the first and second elements required under § 43(a) because “it is beyond the realm of reason to assert . . . that a reasonable consumer would interpret [the puffery] as a factual claim upon which he or she could rely.” In re Century 21, 882 F.Supp. at 926 (citation omitted). Puffing applies to claims that cannot be proven false because they are not capable of measurement. United Indus. Corp., 140 F.3d at 1180; Castrol Inc. v. Pennzoil Co., 987 F.2d 939, 946 (3<sup>rd</sup> Cir. 1993).

Viewed in context, the phrase “America’s Favorite Pasta” is the kind of general claim of superiority that is “so vague, it would be understood as a mere expression of opinion.” Pizza Hut, Inc. v. Papa John’s Int’l Inc., 227 F.3d 489, 496 (5<sup>th</sup> Cir. 2000), cert. denied, 532 U.S. 920 (2001)(citing 4 J. Thomas McCarthy, McCarthy of Trademarks and Unfair Competition, § 27.38 (4<sup>th</sup> ed. 1996)).

Drawing guidance from the writings of our sister circuits and the leading commentators, we think that non-actionable “puffery” comes in at least two possible forms: (1) an exaggerated, blustering, and boasting statement upon which no reasonable buyer would be justified in relying; or (2) a general claim of superiority over comparable products that is so vague that it can be understood as nothing more than a mere expression of opinion.

Pizza Hut, Inc., 277 F.3d at 496-97.

The term “favorite” necessarily implies an opinion. Plaintiff AIPC has not specified that its Mueller’s brand pasta is a favorite based upon any criteria for evaluating pasta. See In Re Century 21, 882 F.Supp. at 928 (“the chairman of RMI has ‘declared RE/MAX #1 in the United States - and the World.’ Not only is this mere opinion, but it makes no reference to the category in which RE/MAX is number one.”). As recognized in Pizza Hut, Inc., “Bald assertions of superiority or general statements of opinion cannot form the basis of Lanham Act liability.” 227

F.3d at 496 (citations omitted). To be actionable, the statements at issue “must be a ‘specific and measurable claim, capable of being proved false or of being reasonably interpreted as a statement of objective fact.’” Id. (citing Coastal Abstract Serv., Inc. v. First Am. Title Ins. Co., 173 F.3d 725, 731 (9<sup>th</sup> Cir. 1999)).

Defendant has not persuaded the Court that the phrase “America’s Favorite Pasta” is a specific and measurable claim. Rather, the phrase is a “general claim of superiority over comparable products that is so vague that it can be understood as nothing more than a mere expression of opinion.” Pizza Hut, Inc., 227 F.3d at 497.

Therefore, this Court finds as a matter of law that the phrase “America’s Favorite Pasta” is mere puffery and is not actionable under the Lanham Act.

#### IV. Conclusion

For the reasons stated above, it is hereby

ORDERED that defendant New World Pasta Company’s Motion for Partial Summary Judgment (Doc. #26) is denied. It is further

ORDERED that defendant’s Counterclaim is dismissed based upon the Court’s finding that the phrase “America’s Favorite Pasta” constitutes non-actionable “puffery” and is not a violation of the Lanham Act. It is further

ORDERED that defendant’s state law claims are dismissed as the Court declines to exercise supplemental jurisdiction over such claims having dismissed defendant’s federal claim.

/s/Scott O. Wright  
SCOTT O. WRIGHT  
Senior United States District Judge



Dated: 2-25-03

**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 116**

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 03-2065

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American Italian Pasta Company,

Appellee,

v.

New World Pasta Company,

Appellant.

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Appeal from the United States  
District Court for the  
Western District of Missouri.

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Submitted: November 17, 2003

Filed: June 7, 2004

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Before RILEY, RICHARD S. ARNOLD, and MELLOY, Circuit Judges.

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RILEY, Circuit Judge.

“America’s Favorite Pasta”—Commercial puffery or factual claim?

American Italian Pasta Company (American) sued New World Pasta Company (New World), seeking a declaratory judgment that American’s use of the phrase “America’s Favorite Pasta” does not constitute false or misleading advertising under section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(B) (2000). New World counterclaimed, asserting American’s use of “America’s Favorite Pasta” violated the Lanham Act and many states’ unfair competition laws. On summary judgment, the

district court<sup>1</sup> concluded American's use of "America's Favorite Pasta" did not violate the Lanham Act, dismissing New World's counterclaims and declining to exercise jurisdiction over New World's state law claims. We affirm.

## I. BACKGROUND

From 1997 to 2000, American<sup>2</sup> manufactured Mueller's brand (Mueller's) dried pasta for Best Foods. In the fall of 2000, American purchased Mueller's and assumed all packaging, distributing, pricing, and marketing for the brand. Since purchasing Mueller's, American has placed the phrase "America's Favorite Pasta" on Mueller's packaging. On various packages, the phrases "Quality Since 1867," "Made from 100% Semolina," or "Made with Semolina" accompany the phrase "America's Favorite Pasta." The packaging also contains a paragraph in which the phrase "America's Favorite Pasta" appears. The paragraph states (1) pasta lovers have enjoyed Mueller's pasta for 130 years; (2) claims Mueller's "pasta cooks to perfect tenderness every time," because Mueller's uses "100% pure semolina milled from the highest quality durum wheat;" and (3) encourages consumers to "[t]aste why Mueller's is America's favorite pasta."

New World<sup>3</sup> sent American a letter demanding American cease and desist using the phrase "America's Favorite Pasta." Consequently, American filed this suit, requesting a declaration that its use of the phrase "America's Favorite Pasta" does not constitute false or misleading advertising under the Lanham Act. In its federal

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<sup>1</sup>The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri.

<sup>2</sup>American sells dried pasta under the brand names Mueller's, Golden Grain, Mrs. Grass, Ronco, Luxury, R & F, Global A1, Pennsylvania Dutch, and Anthony's.

<sup>3</sup>New World sells dried pasta under the brand names Ronzoni, San Giorgio, Skinner, American Beauty, Light n' Fluffy, Goodman, Mrs. Weiss, Prince, Creamette, Monder, Albadoro, Catelli, Lancia, and Ronzoni Canada.

counterclaim, New World asserted American's use of "America's Favorite Pasta" violated the Lanham Act. New World claims American's use of the phrase is false or misleading advertising, because, according to New World's consumer survey, the phrase conveys Mueller's is a national pasta brand or the nation's number one selling pasta. American and New World agree Barilla sells the most dried pasta in the United States and American's brands are regional.

American moved to dismiss New World's counterclaims, arguing the phrase "America's Favorite Pasta" constituted non-actionable puffery. New World resisted American's motion and filed a motion for partial summary judgment. The district court denied American's motion, concluding it would have to consider facts outside the pleadings to determine if the phrase "America's Favorite Pasta" constituted puffery. Two weeks later, the district court denied New World's motion for partial summary judgment, dismissed New World's Lanham Act counterclaim, and declined to exercise jurisdiction over New World's state law counterclaims. The district court concluded the phrase "America's Favorite Pasta" constitutes non-actionable puffery as a matter of law, and the phrase is not actionable under the Lanham Act. New World appeals, contending the phrase "America's Favorite Pasta" is not puffery, but is a deceptive factual claim.

## II. DISCUSSION

We review the district court's summary judgment decision de novo. Interstate Cleaning Corp. v. Commercial Underwriters Ins. Co., 325 F.3d 1024, 1027 (8th Cir. 2003). A purpose of the Lanham Act is "to protect persons engaged in commerce against false advertising and unfair competition." United Indus. Corp. v. Clorox Co., 140 F.3d 1175, 1179 (8th Cir. 1998). To establish a false or deceptively misleading advertising claim under section 43(a) of the Lanham Act,<sup>4</sup> New World must establish:

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<sup>4</sup>Section 43(a) of the Lanham Act states, in pertinent part:

(1) a false statement of fact by [American on its packaging] about its own or another's product; (2) the statement actually deceived or has the tendency to deceive a substantial segment of its audience; (3) the deception is material, in that it is likely to influence the purchasing decision; (4) the defendant caused its false statement to enter interstate commerce; and (5) the plaintiff has been or is likely to be injured as a result of the false statement.

Id. at 1180 (emphasis added). The failure to establish any element of the prima facie case is fatal. Pizza Hut, Inc. v. Papa John's Int'l, Inc., 227 F.3d 489, 495 (5th Cir. 2000).

Under section 43(a), two categories of actionable statements exist: (1) literally false factual commercial claims; and (2) literally true or ambiguous factual claims "which implicitly convey a false impression, are misleading in context, or [are] likely to deceive consumers." United Indus., 140 F.3d at 1180. Besides actionable statements, a category of non-actionable statements exists. Id. Many statements fall into this category, popularly known as puffery. Id. Puffery exists in two general

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(1) Any person who, on or in connection with any goods . . . uses in commerce any . . . false or misleading description of fact, or false or misleading representation of fact, which –

...

(B) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities,

shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

15 U.S.C. § 1125(a) (emphasis added).

forms: (1) exaggerated statements of bluster or boast upon which no reasonable consumer would rely; and (2) vague or highly subjective claims of product superiority, including bald assertions of superiority. Pizza Hut, 227 F.3d at 496-97; United Indus., 140 F.3d at 1180.

Juxtaposed to puffery is a factual claim. A factual claim is a statement that “(1) admits of being adjudged true or false in a way that (2) admits of empirical verification.” Pizza Hut, 227 F.3d at 496 (quoting Presidio Enters., Inc. v. Warner Bros. Distrib. Corp., 784 F.2d 674, 679 (5th Cir. 1986)). To be actionable, the statement must be a “specific and measurable claim, capable of being proved false or of being reasonably interpreted as a statement of objective fact.” Coastal Abstract Serv., Inc. v. First Am. Title Ins. Co., 173 F.3d 725, 731 (9th Cir. 1999); cf. United Indus., 140 F.3d at 1180 (noting puffery does not include “false descriptions of specific or absolute characteristics of a product and specific, measurable claims of product superiority”). Generally, opinions are not actionable. Coastal Abstract, 173 F.3d at 731.

Puffery and statements of fact are mutually exclusive. If a statement is a specific, measurable claim or can be reasonably interpreted as being a factual claim, i.e., one capable of verification, the statement is one of fact. Conversely, if the statement is not specific and measurable, and cannot be reasonably interpreted as providing a benchmark by which the veracity of the statement can be ascertained, the statement constitutes puffery. Defining puffery broadly provides advertisers and manufacturers considerable leeway to craft their statements, allowing the free market to hold advertisers and manufacturers accountable for their statements, ensuring vigorous competition, and protecting legitimate commercial speech.

#### **A. “America’s Favorite Pasta” Standing Alone**

The phrase “America’s Favorite Pasta,” standing alone, is not a statement of fact as a matter of law. The key term in the phrase “America’s Favorite Pasta” is

“favorite.” Used in this context, “favorite” is defined as “markedly popular especially over an extended period of time.” Webster’s Third New International Dictionary 830 (unabridged 1961). Webster’s definition of “favorite” begs the question of how “popular” is defined. In this context, “popular” is defined as “well liked or admired by a particular group or circle.” *Id.* at 1766. By combining the term “favorite” with “America’s,” American claims Mueller’s pasta has been well liked or admired over time by America, a non-definitive person.<sup>5</sup>

“America’s Favorite Pasta” is not a specific, measurable claim and cannot be reasonably interpreted as an objective fact. “Well liked” and “admired” are entirely subjective and vague. Neither the words “well liked” nor “admired” provide an empirical benchmark by which the claim can be measured. “Well liked” and “admired” do not convey a quantifiable threshold in sheer number, percentage, or place in a series. A product may be well liked or admired, but the product may not dominate in sales or market share. For example, assume a consumer’s favorite cut of meat is beef tenderloin. If we were to look at the sheer amount of beef tenderloin our hypothetical consumer buys relative to other cuts of meat, beef tenderloin may not have a sizable market share or account for a significant percentage of the amount of money spent on meat. Therefore, we could not accurately determine whether beef tenderloin was the consumer’s favorite cut of beef based on those benchmarks. The fact is, the consumer may admire beef tenderloin and like it best among beef cuts, but beef tenderloin is too expensive for our consumer to eat often. Likewise, sales volume and total dollars spent on particular pasta brands in the United States may not uncover America’s favorite pasta.

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<sup>5</sup>We note the outcome of this case might be different if American claimed Mueller’s pasta was the favorite pasta of a specific person or an identifiable group. Such a claim might be a statement of fact. For example, the claim that Mueller’s is Judge Michael Melloy’s favorite pasta would not be puffery. Such a statement is a factual statement that could be verified by simply asking Judge Melloy which pasta brand is his favorite.



"America's Favorite Pasta" also does not imply Mueller's is a national brand. First, "America's" is vague, and "America's," as well as "America" and "American" used in a similar context, is a broad, general reference. Second, a brand, chain, or product could be America's favorite without being national. For example, an individual restaurant or restaurant chain may be America's favorite, but may be located only in one or a few states. Although the restaurant chain may not be available nationally, consumers may prefer the restaurant because of its quality of food, quality of service, atmosphere, or some other attribute. Because "America's Favorite" depends on numerous characteristics, many of which may be intrinsic, a product (be it a restaurant, grits, or pasta) need not be sold nationally to be America's favorite.

**B. "America's Favorite Pasta" Viewed In Context**

Having decided the phrase "America's Favorite Pasta," standing alone, is not a statement of fact, we consider whether the context in which the phrase is used by American transforms it into a statement of fact. See Pizza Hut, 227 F.3d at 495 n.5 (noting the context in which a statement appears can be used to determine if the statement is actionable under the Lanham Act). "America's Favorite Pasta" appears on Mueller's packaging in two places. First, Mueller's packaging contains the phrase "America's Favorite Pasta" in the following paragraph (Paragraph):

For over 130 years, pasta lovers have enjoyed the great taste of Mueller's. Our pasta cooks to perfect tenderness every time because it's made from 100% pure semolina milled from the highest quality durum wheat. Taste why Mueller's is America's favorite pasta.

Second, "America's Favorite Pasta" appears directly above "Quality Since 1867" on some packaging, and directly above "Made from 100% Semolina" or "Made with Semolina" on other packaging (Phrases).

The Paragraph and the Phrases fail to transform "America's Favorite Pasta" into a statement of fact. The Paragraph does not suggest a benchmark by which the veracity of American's statement can be verified. The Paragraph generally declares the brand has existed for 130 years, Mueller's tastes great, cooks to perfect tenderness, and is manufactured from high quality grain. We assume, *arguendo*, the sentence "Taste why Mueller's is America's favorite pasta" incorporates the attributes listed in the Paragraph into American's claim. Two attributes listed in the Paragraph are subject to verification: Mueller's is made from 100% pure semolina, and the brand is more than 130 years old. New World does not contend these claims are false. The remaining attributes listed in the Paragraph are unquantifiable and subject to an individual's fancy.

Notwithstanding the incorporation of these claims into "America's Favorite Pasta," the unverifiable attributes attenuate verifiable, and accurate, claims. "Taste why Mueller's is America's favorite pasta" suggests all of the attributes listed in the Paragraph are the reason Mueller's is "America's Favorite Pasta" and suggests each carries equal weight. The unquantifiable attributes coupled with two verifiable attributes do not render the phrase "America's Favorite Pasta" subject to verification.

Similarly, the Phrases do not convey a benchmark for "America's Favorite Pasta." The term "quality" is vague, entirely subjective, and a bare assertion of product superiority. In the context used, "quality" means "inherent or intrinsic excellence of character or type" or "superiority in kind." Webster's Third New International Dictionary 1858 (unabridged 1961). The only portion of "Quality Since 1867" that can be verified is "Since 1867," but "Since 1867" does not provide a methodology or a reason why Mueller's is America's favorite. The words simply state, accurately, when the brand was founded. Likewise, while presenting factual claims, the phrases "Made from 100% Semolina" and "Made with Semolina" do not define a methodology by which to ascertain the veracity of American's claim that

Mueller's is "America's Favorite Pasta." The two phrases simply, and correctly, list characteristics of the pasta.

### C. Consumer Surveys

We now consider whether the results of New World's consumer survey transform the phrase "America's Favorite Pasta" into a specific, measurable claim. In its survey, New World asked consumers if the phrase "America's Favorite Pasta" conveyed a meaning. According to New World, thirty-three percent of those surveyed allegedly perceived the phrase "America's Favorite Pasta" to mean Mueller's is the number one brand. Fifty percent of those surveyed allegedly perceived the phrase "America's Favorite Pasta" to mean Mueller's is a national brand.

The Seventh Circuit confronted a similar question in Mead Johnson & Co. v. Abbott Laboratories, 201 F.3d 883 (7th Cir.), opinion amended on denial of reh'g, 209 F.3d 1032 (7th Cir. 2000). Having concluded the phrase "1st Choice of Doctors" conveyed more doctors prefer this product over its rivals, the Seventh Circuit considered whether a consumer survey can assign a different meaning to a phrase. Id. at 883-84. Mead Johnson's survey indicated consumers perceived the phrase "1st Choice of Doctors" to mean a majority of doctors. Concluding the district court erred in using the survey to assign such a meaning, the Seventh Circuit noted, "never before has survey research been used to determine the meaning of words, or to set the standard to which objectively verifiable claims must be held." Id. at 886. While acknowledging dictionaries are surveys by people who devote their entire lives to discovering the usage of words, the Seventh Circuit cogitated "[i]t would be a bad idea to replace the work of these professionals with the first impressions of people on the street." Id. The Seventh Circuit reasoned that using consumer surveys to determine the benchmark by which a claim is measured would remove otherwise useful words from products and would reduce ads and packaging to puffery. Id. at 886-87.

We agree with the Seventh Circuit. To allow a consumer survey to determine a claim's benchmark would subject any advertisement or promotional statement to numerous variables, often unpredictable, and would introduce even more uncertainty into the market place. A manufacturer or advertiser who expended significant resources to substantiate a statement or forge a puffing statement could be blind-sided by a consumer survey that defines the advertising statement differently, subjecting the advertiser or manufacturer to unintended liability for a wholly unanticipated claim the advertisement's plain language would not support. The resulting unpredictability could chill commercial speech, eliminating useful claims from packaging and advertisements. As the Seventh Circuit noted, the Lanham Act protects against misleading and false statements of fact, not misunderstood statements. Id. at 886.

### III. CONCLUSION

For the foregoing reasons, we affirm.

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**American Italian Pasta Company**

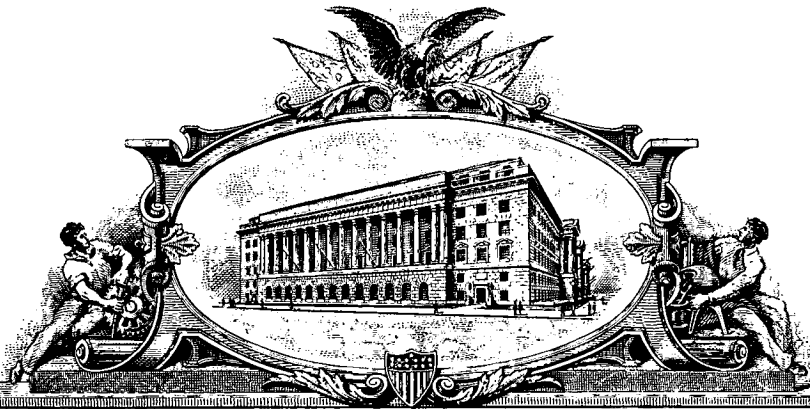
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 117**

7033009



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,467,054 IS  
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**By Authority of the  
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and Director of the United States Patent and Trademark Office**

*M. Tarver*  
**M. TARVER**  
**Certifying Officer**



**Int. Cl.: 12**

**Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44**

**Reg. No. 2,467,054**

**United States Patent and Trademark Office**

**Registered July 10, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE TRUCK CAMPER**

LANCE CAMPER MFG. CORP. (CALIFORNIA  
CORPORATION)  
43120 VENTURA STREET  
LANCASTER, CA 93535

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "TRUCK CAMPER", APART FROM  
THE MARK AS SHOWN.

FOR: RECREATIONAL VEHICLES, NAMELY  
TRUCK CAMPERS AND FIFTH WHEEL TRAILERS,  
IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

SEC. 2(F).

SER. NO. 75-738,157, FILED 6-28-1999.

FIRST USE 10-15-1994; IN COMMERCE 10-15-1994.

ANN LINNEHAN, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

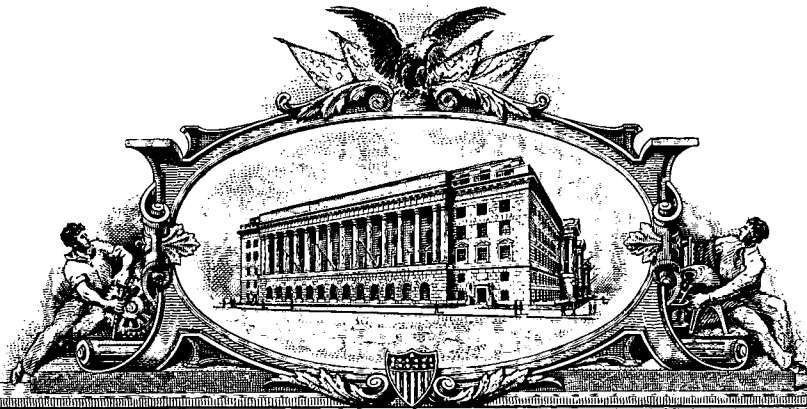
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 118**



7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

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**United States Patent and Trademark Office**

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SUBSEQUENTLY CANCELED.**

**REGISTERED FOR A TERM OF 10 YEARS FROM July 01, 1997**

**CANCELLED SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***KRAFT FOODS HOLDINGS, INC.***

***A DE CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,076,574**

**United States Patent and Trademark Office**

**Registered July 1, 1997**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITES**

**NABISCO BRANDS COMPANY (DELAWARE  
CORPORATION)  
SUITE 2740, ONE SOUTH WACKER DRIVE  
CHICAGO, IL 60606**

**FOR: MAIL ORDER CATALOG SERVICES  
FEATURING PACKAGED FOODS, SNACKS,  
TOYS, TINS, CLOCKS, SIGNS, BAGS, BABY  
ITEMS, BLANKETS, PET FOOD, SPORTING**

**GOODS AND OTHER CONSUMER ITEMS, IN  
CLASS 42 (U.S. CLS. 100 AND 101).  
FIRST USE 3-21-1996; IN COMMERCE  
3-21-1996.**

**SER. NO. 75-061,946, FILED P.R. 2-19-1996;  
AM. S.R. 4-30-1997.**

**JEFFREY LOOK, EXAMINING ATTORNEY**

**American Italian Pasta Company**

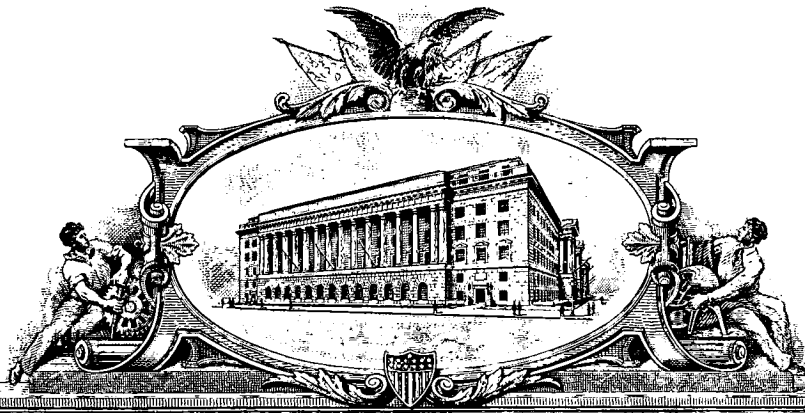
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 119**

7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 10, 1990***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *July 10, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***VALPAK DIRECT MARKETING SYSTEMS, INC.***

***A DE CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 35**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,605,872**

**Registered July 10, 1990**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE MAIL**

VAL-PAK DIRECT MARKETING SYSTEMS,  
INC. (DELAWARE CORPORATION)  
10601 BELCHER ROAD  
LARGO, FL 34647

ADVERTISING MATERIALS OF OTHERS, IN  
CLASS 35 (U.S. CL. 101).

FIRST USE 8-0-1985; IN COMMERCE  
8-0-1985.

FOR: PROMOTING THE GOODS AND SERV-  
ICES OF OTHERS BY DESIGNING AND DIS-  
TRIBUTING PUBLICATIONS HAVING THE

SER. NO. 73-784,609, FILED 3-6-1989.

MARY I. SPARROW, EXAMINING ATTORNEY

**American Italian Pasta Company**

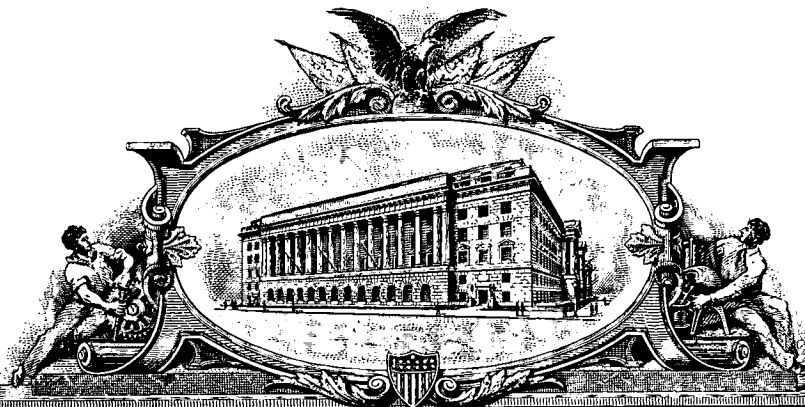
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 120**

7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

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EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 07, 1998***

**SAID RECORDS SHOW TITLE TO BE IN:**

***KRAFT FOODS HOLDINGS, INC.  
A DELAWARE CORPORATION***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN  
Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,149,887**

**United States Patent and Trademark Office**

**Registered Apr. 7, 1998**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE CHOCOLATE CHIP COOKIE!**

**NABISCO BRANDS COMPANY (DELAWARE  
CORPORATION)  
ONE SOUTH WACKER DRIVE, SUITE 2740  
CHICAGO, IL 60606**

**FIRST USE 4-0-1996; IN COMMERCE  
4-0-1996.**

**SER. NO. 75-222,072, FILED P.R. 1-8-1997; AM.  
S.R. 1-20-1998.**

**FOR: COOKIES, IN CLASS 30 (U.S. CL. 46).**

**MARK T. MULLEN, EXAMINING ATTORNEY**



**American Italian Pasta Company**

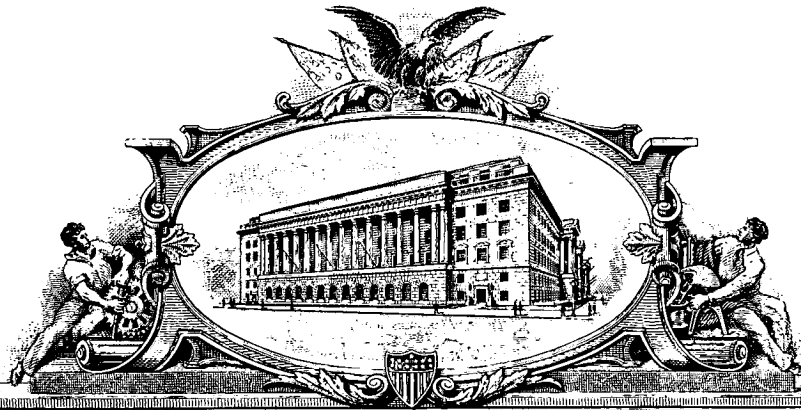
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 121**

7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,425,990 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 06, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 2**

**Prior U.S. Cls.: 6, 11 and 16**

**Reg. No. 2,425,990**

**United States Patent and Trademark Office**

**Registered Feb. 6, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**DELTA CERAMCOAT - AMERICA'S FAVORITE ACRYLIC PAINT**

DELTA TECHNICAL COATINGS, INC. (CALIFORNIA  
CORPORATION)  
2550 PELLISSIER PLACE  
WHITTIER, CA 90601

FOR: PAINT KITS FOR ARTS AND CRAFTS CON-  
TAINING ONLY PAINT, IN CLASS 2 (U.S. CLS. 6,  
11 AND 16).

FIRST USE 1-0-1996; IN COMMERCE 1-0-1996.

OWNER OF U.S. REG. NOS. 399,954 AND  
1,560,355.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "AMERICA'S FAVORITE ACRYLIC  
PAINT", APART FROM THE MARK AS SHOWN.

SER. NO. 75-346,324, FILED 8-25-1997.

KELLY L. WILLIAMS, EXAMINING ATTORNEY

**American Italian Pasta Company**

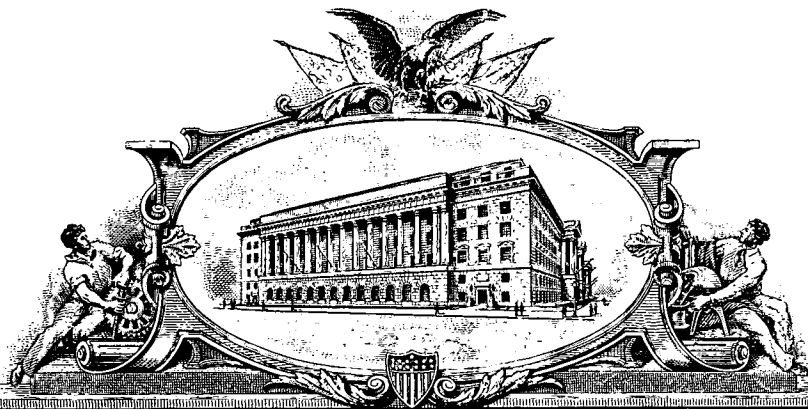
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 122**

7033000



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 17, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,924,855 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY NOT RENEWED.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 03, 1995*

SECTION 8 PARTIAL

LESS GOODS

CANCELLED SECTION 8

CLASS(ES) CANCELLED:

*INT. CL 039*

*INT. CL 041*

*INT. CL 042*

SAID RECORDS SHOW TITLE TO BE IN:

*PINNACLE ENTERTAINMENT, INC.*

*A DE CORP*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



M. K. CARTER

Certifying Officer

Int. Cls.: 39, 41, and 42

Prior U.S. Cls.: 42, 100, 105, and 107

**United States Patent and Trademark Office**

**Reg. No. 1,924,855**

Registered Oct. 3, 1995

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE**

BOOMTOWN, INC. (DELAWARE CORPORATION)  
P.O. BOX 399  
VERDI, NV 89439

FOR: ~~TRANSPORTATION SERVICES,  
NAMESLY ARRANGING EXCURSIONS FOR  
OTHERS~~, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 5-0-1988; IN COMMERCE  
5-0-1988.

FOR: CASINO SERVICES, IN CLASS 41 (U.S.  
CL. 107).

FIRST USE 5-0-1988; IN COMMERCE  
5-0-1988.

FOR: HOTEL SERVICES AND PROVIDING  
TRAILER PARK FACILITIES, IN CLASS 42  
(U.S. CL. 42).

FIRST USE 5-0-1988; IN COMMERCE  
5-0-1988.

SER. NO. 74-470,575, FILED P.R. 12-17-1993;  
AM. S.R. 7-5-1995.

MICHAEL LEVY, EXAMINING ATTORNEY

**American Italian Pasta Company**

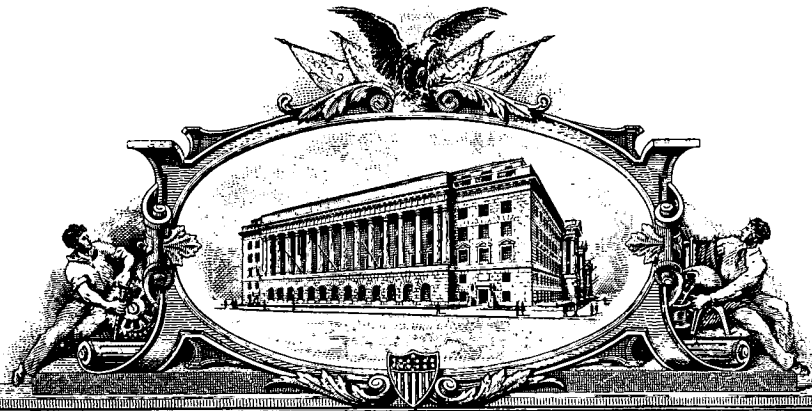
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 123**

7033000



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,606,105 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 06, 2002*

SAID RECORDS SHOW TITLE TO BE IN:

*APPLIED VOICE & SPEECH TECHNOLOGIES, INC.*  
*A DELAWARE CORPORATION*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



*H. L. Jackson*  
H. L. JACKSON  
Certifying Officer



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**Reg. No. 2,606,105**

**United States Patent and Trademark Office**

**Registered Aug. 6, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE PBX ASSISTANT**

SOUND ADVANTAGE, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
5 PARK PLAZA, SUITE 770  
IRVINE, CA 92614

FOR: COMPUTER PROGRAMS AND COMPUTER HARDWARE, BOTH FOR USE IN TELECOMMUNICATIONS MANAGEMENT AND FOR ENABLING VOICE MAIL, FACSIMILE TRANSMISSION, ELECTRONIC MAIL, THE RECEIPT AND DELIVERY OF ELECTRONIC MESSAGES, THE RECEIPT AND DELIVERY OF ELECTRONIC DOCUMENTS, THE ELECTRONIC RECEIPT AND

DELIVERY OF IMAGES, ELECTRONIC TRANSMISSION OF DATA, AND FOR USE IN PERSONAL CONTACTS MANAGEMENT, TELEPHONE CALL MANAGEMENT AND TIME MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-7-2000; IN COMMERCE 3-7-2000.

SER. NO. 75-940,991, FILED P.R. 3-10-2000; AM. S.R. 1-30-2002.

ELIZABETH J. WINTER, EXAMINING ATTORNEY

**American Italian Pasta Company**

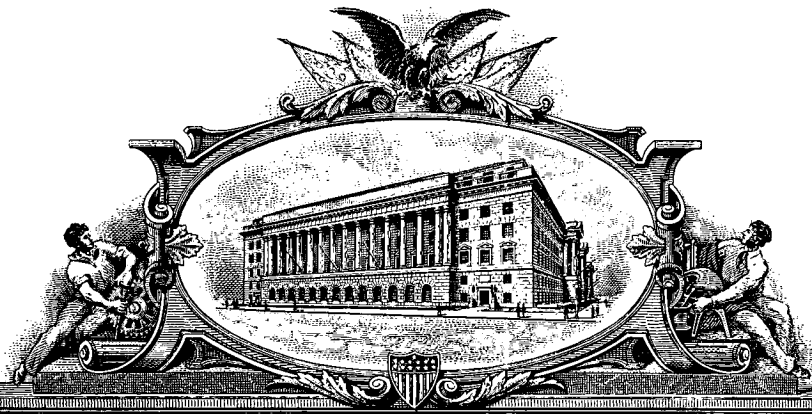
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 124**

7033000



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,590,034 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 02, 2002*

SAID RECORDS SHOW TITLE TO BE IN:

*APPLIED VOICE & SPEECH TECHNOLOGIES, LLC*  
*A DELAWARE CORPORATION*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



*H. L. Jackson*  
H. L. JACKSON

Certifying Officer

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**United States Patent and Trademark Office**

**Reg. No. 2,590,034**

**Registered July 2, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE FAX ASSISTANT**

**SOUND ADVANTAGE, LLC. (CALIFORNIA LIMITED LIABILITY COMPANY)  
5 PARK PLAZA, SUITE 770  
IRVINE, CA 92614**

**FOR: COMPUTER PROGRAMS AND COMPUTER HARDWARE, BOTH FOR USE IN TELECOMMUNICATIONS MANAGEMENT AND FOR ENABLING VOICE MAIL, FACSIMILE TRANSMISSION, ELECTRONIC MAIL, THE RECEIPT AND DELIVERY OF ELECTRONIC MESSAGES, THE RECEIPT AND DELIVERY OF ELECTRONIC DOCUMENTS, THE ELECTRONIC RECEIPT AND**

**DELIVERY OF IMAGES, ELECTRONIC TRANSMISSION OF DATA, AND FOR USE IN PERSONAL CONTACTS MANAGEMENT, TELEPHONE CALL MANAGEMENT AND TIME MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**FIRST USE 3-7-2000; IN COMMERCE 3-7-2000.**

**SER. NO. 75-940,992, FILED P.R. 3-10-2000; AM. S.R. 1-30-2002.**

**ELIZABETH J. WINTER, EXAMINING ATTORNEY**

**American Italian Pasta Company**

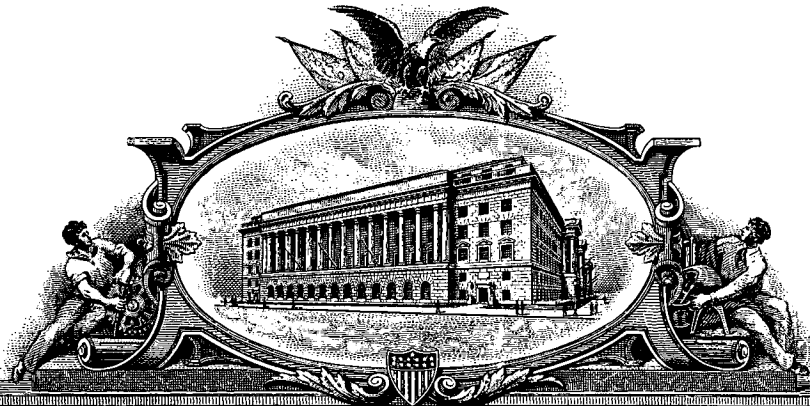
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 125**

7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,590,035 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 02, 2002***

**SAID RECORDS SHOW TITLE TO BE IN:**

***APPLIED VOICE & SPEECH TECHNOLOGIES, INC.***

***A DE CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. R. GRANT**

**Certifying Officer**



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**Reg. No. 2,590,035**

**United States Patent and Trademark Office**

**Registered July 2, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE EMAIL ASSISTANT**

**SOUND ADVANTAGE, LLC. (CALIFORNIA LIMITED LIABILITY COMPANY)  
5 PARK PLAZA, SUITE 770  
IRVINE, CA 92614**

**FOR: COMPUTER PROGRAMS AND COMPUTER HARDWARE, BOTH FOR USE IN TELECOMMUNICATIONS MANAGEMENT AND FOR ENABLING VOICE MAIL, FACSIMILE TRANSMISSION, ELECTRONIC MAIL, THE RECEIPT AND DELIVERY OF ELECTRONIC MESSAGES, THE RECEIPT AND DELIVERY OF ELECTRONIC DOCUMENTS, THE ELECTRONIC RECEIPT AND**

**DELIVERY OF IMAGES, ELECTRONIC TRANSMISSION OF DATA, AND FOR USE IN PERSONAL CONTACTS MANAGEMENT, TELEPHONE CALL MANAGEMENT AND TIME MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**FIRST USE 3-7-2000; IN COMMERCE 3-7-2000.**

**SER. NO. 75-940,994, FILED P.R. 3-10-2000; AM. S.R. 1-30-2002.**

**ELIZABETH J. WINTER, EXAMINING ATTORNEY**

**American Italian Pasta Company**

**v.**

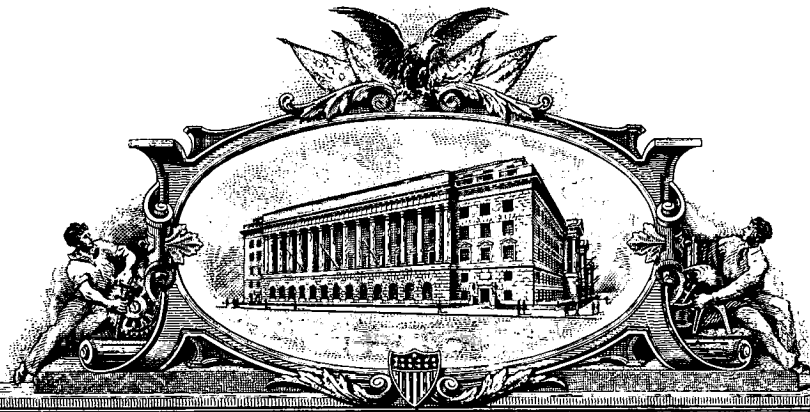
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 126**



7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,572,410 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 21, 2002***

**SAID RECORDS SHOW TITLE TO BE IN:**

***KRAFT FOODS HOLDINGS, INC.  
A DELAWARE CORPORATION***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,572,410**

**Registered May 21, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE COOKIE**

**NABISCO BRANDS COMPANY (DELAWARE  
CORPORATION)  
1105 NORTH MARKET STREET, SUITE 803  
WILMINGTON, DE 19801**

**OWNER OF U.S. REG. NO. 2,149,887.**

**SER. NO. 78-039,333, FILED P.R. 12-14-2000; AM.  
S.R. 11-19-2001.**

**FOR: COOKIES, IN CLASS 30 (U.S. CL. 46).**

**FIRST USE 2-1-1998; IN COMMERCE 2-1-1998.**

**KARLA PERKINS, EXAMINING ATTORNEY**

**American Italian Pasta Company**

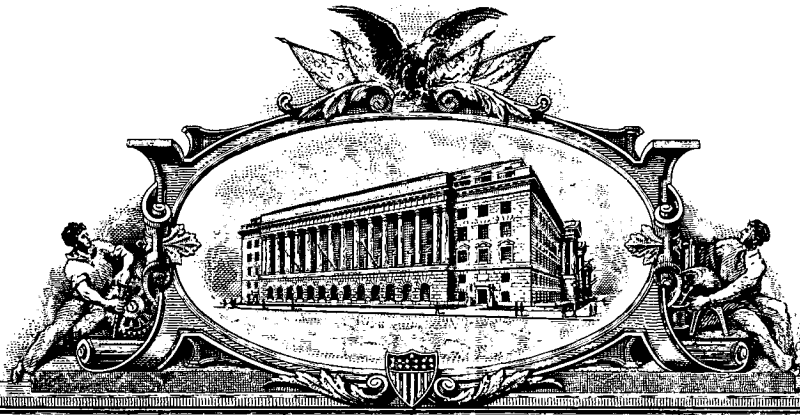
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 127**

7033000



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,034,322 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 28, 1997***

**CANCELLED SECTION 8  
CLASS(ES) CANCELLED:  
*INT CL 016 AND 042***

**SAID RECORDS SHOW TITLE TO BE IN:  
*Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**P. SWAIN  
Certifying Officer**

**Int. Cls.: 16 and 42**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100,  
and 101**

**Reg. No. 2,034,322**

**United States Patent and Trademark Office**

**Registered Jan. 28, 1997**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITES ON THE GO**

**CARRIE CONCESSIONS, INC. (FLORIDA COR-  
PORATION)  
MIAMI INTERNATIONAL AIRPORT, CON-  
COURSE E  
P.O. BOX 996697  
MIAMI, FL 332996697**

**FIRST USE 11-2-1995; IN COMMERCE  
11-2-1995.**

**FOR: RESTAURANT SERVICES, IN CLASS  
42 (U.S. CLS. 100 AND 101).**

**FIRST USE 1-5-1995; IN COMMERCE  
1-5-1995.**

**SN 74-641,300, FILED 3-2-1995.**

**FOR: PAPER NAPKINS, IN CLASS 16 (U.S.  
CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).**

**PAULA MAYS, EXAMINING ATTORNEY**

**American Italian Pasta Company**

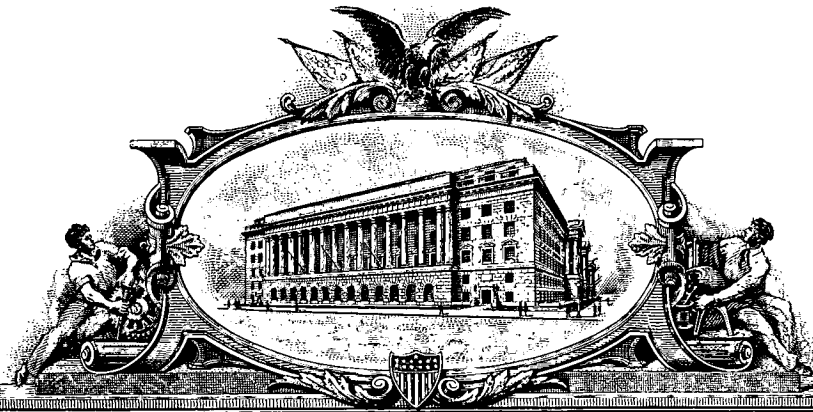
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 128**

7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS, SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,077,329 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 08, 1997***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***JELLY BELLY CANDY COMPANY  
A CALIFORNIA CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,077,329

**United States Patent and Trademark Office**

Registered July 8, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**IT'S AMERICA'S FAVORITE JELLY BEAN**

HERMAN GOELITZ CANDY CO., INC. (CALI-  
FORNIA CORPORATION)  
2400 NORTH WATNEY WAY  
FAIRFIELD, CA 94533

FOR: JELLY BEANS, IN CLASS 30 (U.S. CL.  
46).

FIRST USE 5-31-1989; IN COMMERCE  
5-31-1989.

OWNER OF U.S. REG. NO. 1,604,190.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "JELLY BEAN", APART FROM  
THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 75-116,367, FILED 6-10-1996.

DARLENE BULLOCK, EXAMINING ATTOR-  
NEY



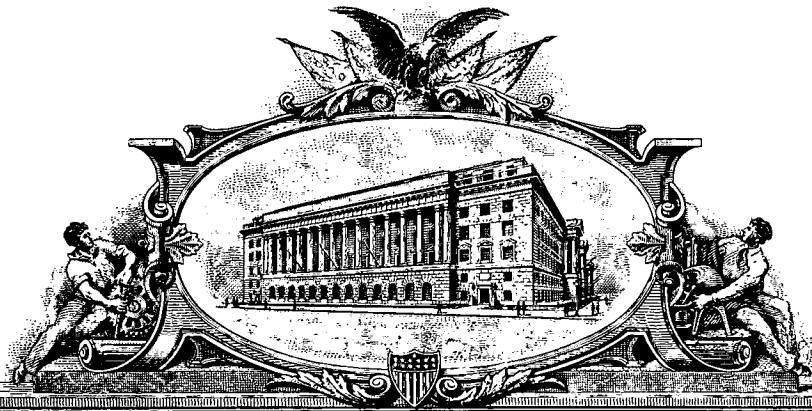
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 129**



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,347,915 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *May 02, 2000*

**SECTION 8**

SAID RECORDS SHOW TITLE TO BE IN:

*CONCORD CONFECTIONS LTD.*

*A CANADA CORPORATION*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

P. SWAIN

Certifying Officer



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,347,915**

**United States Patent and Trademark Office**

**Registered May 2, 2000**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE SOUR GUM**

**PHILADELPHIA CHEWING GUM CORPORATION (PENNSYLVANIA CORPORATION)  
HAVERTOWN, PA 190832189**

**FOR: BUBBLE GUM, IN CLASS 30 (U.S. CL. 46).**

**FIRST USE 6-15-1999; IN COMMERCE 6-15-1999.**

**NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOUR GUM" , APART FROM THE MARK AS SHOWN.**

**SER. NO. 75-768,708, FILED P.R. 8-5-1999; AM. S.R. 12-15-1999.**

**ANDREW EHARD, EXAMINING ATTORNEY**

**American Italian Pasta Company**

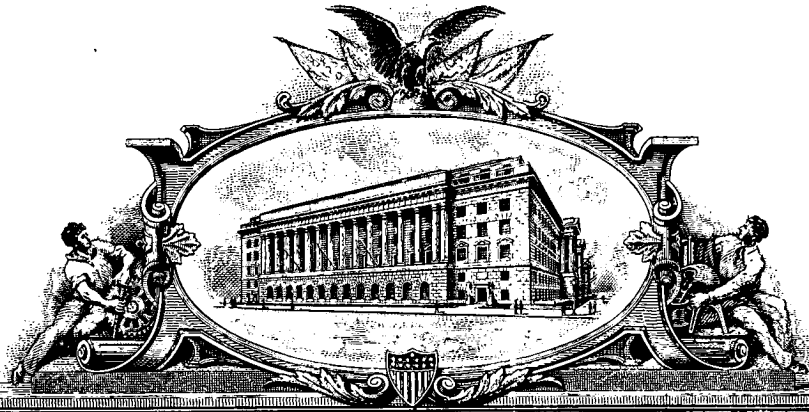
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 130**

7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,054,560 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 22, 1997***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *April 22, 2007***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***TAYMARK, INC.***

***A MINNESOTA CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,054,560

**United States Patent and Trademark Office**

Registered Apr. 22, 1997

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE FAVORS**

SETHSCOT COLLECTION, INC. (DELAWARE  
CORPORATION)  
7855 N.W. 77TH AVENUE  
MIAMI, FL 33166

FIRST USE 2-1-1990; IN COMMERCE  
2-1-1990.

SEC. 2(F).

FOR: MAIL ORDER CATALOGUE SERV-  
ICES FEATURING CUSTOM-PRINTED PROD-  
UCTS FOR USE BY FRATERNITIES, SORORI-  
TIES, AND SIMILAR ORGANIZATIONS , IN  
CLASS 42 (U.S. CLS. 100 AND 101).

SER. NO. 75-056,352, FILED 2-12-1996.

ANDREW BENZMILLER, EXAMINING AT-  
TORNEY

**American Italian Pasta Company**

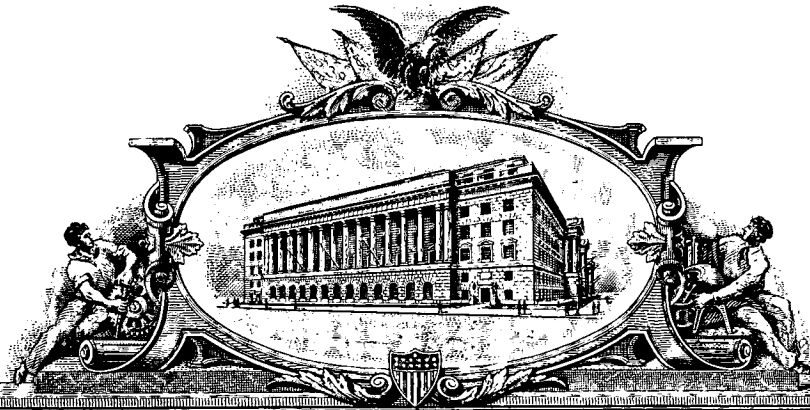
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 131**

7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,566,340 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 30, 2002***

**SAID RECORDS SHOW TITLE TO BE IN:**

***AMERICAN WATER HEATER COMPANY  
A NEVADA CORPORATION***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN  
Certifying Officer**





**Int. Cl.: 11**

**Prior U.S. Cls.: 13, 21, 23, 31, and 34**

**Reg. No. 2,566,340**

**United States Patent and Trademark Office**

**Registered Apr. 30, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE WATER HEATER**

AMERICAN WATER HEATER COMPANY (NE-  
VADA CORPORATION)  
500 PRINCETON ROAD  
P.O. BOX 4056  
JOHNSON CITY, TN 376024056

FOR: WATER HEATERS FOR DOMESTIC, COM-  
MERCIAL, OR INDUSTRIAL USE, IN CLASS 11 (U.S.  
CLS. 13, 21, 23, 31 AND 34).

FIRST USE 8-1-2001; IN COMMERCE 8-1-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "WATER HEATER", APART FROM  
THE MARK AS SHOWN.

SER. NO. 76-213,647, FILED P.R. 2-21-2001; AM. S.R.  
9-4-2001.

JULIA S. SHIELDS, EXAMINING ATTORNEY

**American Italian Pasta Company**

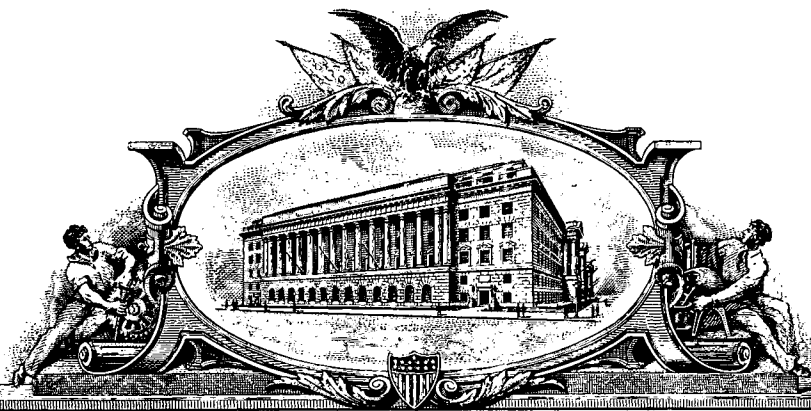
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 132**

7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,224,026 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY CANCELED.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 16, 1999***

**CANCELLED SECTION 8**

**CLASS(ES) CANCELLED:**

***INT CL 025***

**SAID RECORDS SHOW TITLE TO BE IN:**

***IP HOLDINGS LLC***

***A LIMITED LIABILITY COMPANY OF DELAWARE***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**P. SWAIN**

**Certifying Officer**

**Int. Cl.: 25**

**Prior U.S. Cls.: 22 and 39**

**Reg. No. 2,224,026**

**United States Patent and Trademark Office**

**Registered Feb. 16, 1999**

**TRADEMARK  
PRINCIPAL REGISTER**

**BONGO BLUE JEANS ALWAYS AMERICA'S FAVORITE**

**MICHAEL CARUSO & CO., INC. (CALIFORNIA  
CORPORATION)  
4560 LOMA VISTA AVENUE  
VERNON, CA 90058**

**FOR: CLOTHING - NAMELY, JEANS,  
SHORTS AND SKIRTS, IN CLASS 25 (U.S. CLS.  
22 AND 39).**

**FIRST USE 0-0-1993; IN COMMERCE  
0-0-1993.**

**OWNER OF U.S. REG. NOS. 1,331,004, 1,974,123  
AND OTHERS.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BLUE JEANS" AND  
"ALWAYS AMERICA'S FAVORITE", APART  
FROM THE MARK AS SHOWN.**

**SER. NO. 75-389,220, FILED 11-13-1997.**

**DANIEL CAPSHAW, EXAMINING ATTORNEY**

**American Italian Pasta Company**

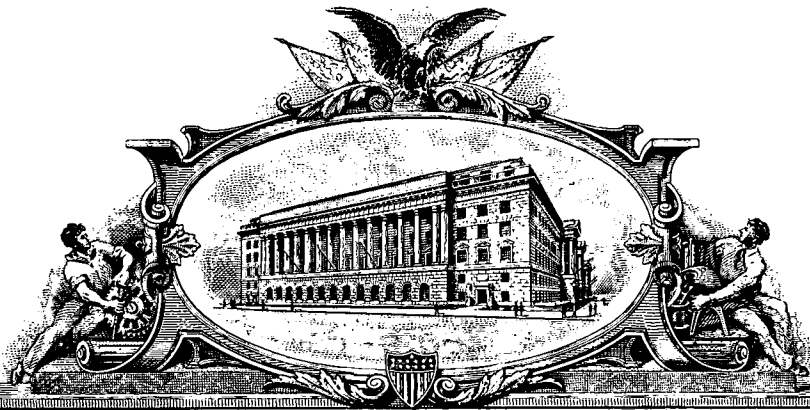
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 133**

7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,063,618 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 20, 1997***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

Reg. No. 2,063,618

**United States Patent and Trademark Office**

Registered May 20, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**PLAY AMERICA'S FAVORITE PASTIME WITH AMERICA'S  
FAVORITE BEER**

USAGENCY, INC. (PENNSYLVANIA CORPO-  
RATION)  
224 ST. LOUIS STREET  
P.O. BOX 111  
LEWISBURG, PA 17837

FIRST USE 1-2-1995; IN COMMERCE  
2-12-1997.

SN 74-490,891, FILED 2-17-1994.

FOR: GAME; NAMELY, GAME OF CHANCE  
PLAYED WITH DICE AND CHIPS, IN CLASS  
28 (U.S. CLS. 22, 23, 38 AND 50).

AMOS T. MATTHEWS, JR., EXAMINING AT-  
TORNEY

**American Italian Pasta Company**

**v.**

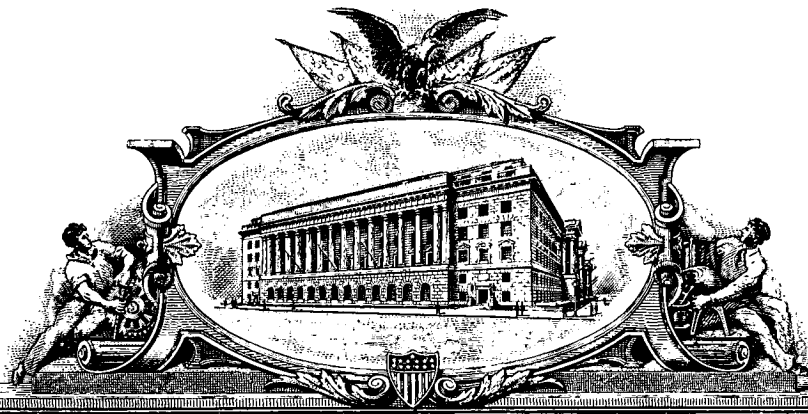
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 134**



7032999



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:  
UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,777,517 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 15, 1993*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *June 15, 2003***

**SECTION 8**

**AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



Int. Cl.: 29

Prior U.S. Cl.: 46

United States Patent and Trademark Office  
Corrected

Reg. No. 1,777,517  
Registered June 15, 1993  
OG Date July 18, 1995

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MUSHROOM**

GIORGIFRED COMPANY (DELAWARE  
INVESTMENT COMPANY),  
C/O DELAWARE TRUST MANAGE-  
MENT COMPANY  
P.O. BOX 8841  
WILMINGTON, DE 19899

NO CLAIM IS MADE TO THE EXCLU-  
SIVE RIGHT TO USE "MUSHROOM",  
APART FROM THE MARK AS SHOWN.

FOR: CANNED AND BOTTLED  
MUSHROOMS, IN CLASS 29 (U.S. CL. 46).  
FIRST USE 8-21-1992; IN COMMERCE  
8-24-1992.

SER. NO. 74-223,412, FILED P.R.  
10-22-1991; AM. S.R. 9-8-1992.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on July 18, 1995.*

**COMMISSIONER OF PATENTS AND TRADEMARKS**

Int. Cl.: 29

Prior U.S. Cl.: 46

United States Patent and Trademark Office  
Corrected

Reg. No. 1,777,517  
Registered June 15, 1993  
OG Date Apr. 18, 1995

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MUSHROOM**

GIORGIFRED COMPANY (DELAWARE  
CORPORATION)  
C/O DELAWARE TRUST MANAGE-  
MENT COMPANY  
P.O. BOX 8841  
WILMINGTON, DE 19899

NO CLAIM IS MADE TO THE EXCLU-  
SIVE RIGHT TO USE "MUSHROOM",  
APART FROM THE MARK AS SHOWN.

FOR: CANNED AND BOTTLED  
MUSHROOMS, IN CLASS 29 (U.S. CL. 46).  
FIRST USE 8-21-1992; IN COMMERCE  
8-24-1992.

SER. NO. 74-223,412, FILED P.R.  
10-22-1991; AM. S.R. 9-8-1992.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Apr. 18, 1995.*

COMMISSIONER OF PATENTS AND TRADEMARKS

**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 1,777,517**

**Registered June 15, 1993**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MUSHROOM**

GIORGIFRED COMPANY (DELAWARE COR-  
PORATION)  
C/O DELAWARE TRUST MANAGEMENT  
COMPANY  
P.O. BOX 8841  
WILMINGTON, DE 19899

FOR: CANNED AND BOTTLED MUSH-  
ROOMS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-21-1992; IN COMMERCE  
8-24-1992.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MUSHROOM", APART FROM  
THE MARK AS SHOWN.

SER. NO. 74-223,412, FILED P.R. 10-22-1991;  
AM. S.R. 9-8-1992.

CAROLYN GRAY, EXAMINING ATTORNEY

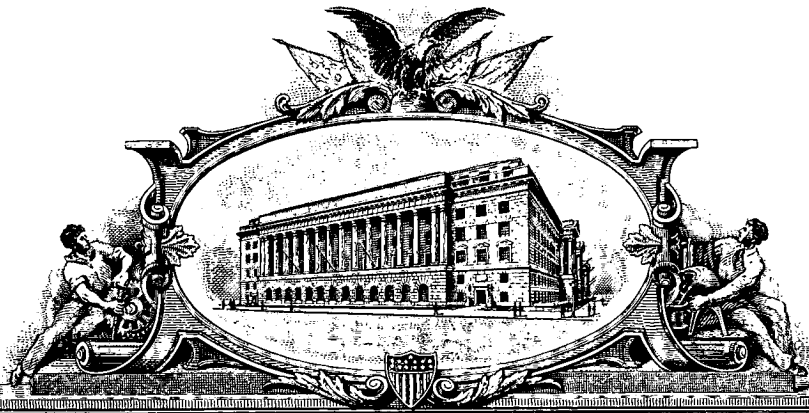
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 135**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,155,994 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 12, 1998***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**M. TARVER**  
**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,155,994**

**United States Patent and Trademark Office**

**Registered May 12, 1998**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE SOFT PRETZEL**

**J&J SNACK FOODS CORP. (NEW JERSEY CORPORATION)  
6000 CENTRAL HIGHWAY  
PENNSAUKEN, NJ 08109**

**FOR: SNACK FOODS, NAMELY, SOFT  
PRETZELS, IN CLASS 30 (U.S. CL. 46).**

**FIRST USE 3-0-1996; IN COMMERCE  
3-0-1996.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "SOFT PRETZEL", APART  
FROM THE MARK AS SHOWN.**

**SEC. 2(F).**

**SER. NO. 75-036,522, FILED 12-26-1995.**

**KAREN M. STRYZ, EXAMINING ATTORNEY**

**American Italian Pasta Company**

**v.**

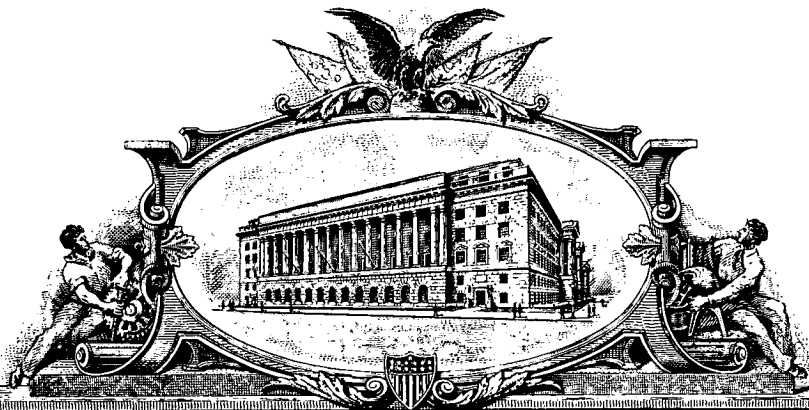
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 136**



7032997



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,791,096 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *August 31, 1993***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *August 31, 2003***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***WINNER INTERNATIONAL ROYALTY LLC***

***A DELAWARE LIMITED LIABILITY COMPANY***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**M. TARVER**

**Certifying Officer**



**Int. Cl.: 6**

**Prior U.S. Cls.: 13 and 25**

**United States Patent and Trademark Office** **Reg. No. 1,791,096**  
**Registered Aug. 31, 1993**

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**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE**

**WINNER INTERNATIONAL (PENNSYLVANIA  
CORPORATION)  
32 WEST STATE STREET  
SHARON, PA 16146**

**FOR: ANTI-THEFT STEERING WHEEL  
LOCK FOR MOTOR VEHICLES MADE PRI-  
MARILY OF METAL, IN CLASS 6 (U.S. CLS. 13  
AND 25).**

**FIRST USE 1-15-1991; IN COMMERCE  
1-15-1991.**

**SER. NO. 74-359,093, FILED P.R. 2-16-1993;  
AM. S.R. 5-26-1993.**

**VIVIAN MICZNIK FIRST, EXAMINING AT-  
TORNEY**

**American Italian Pasta Company**

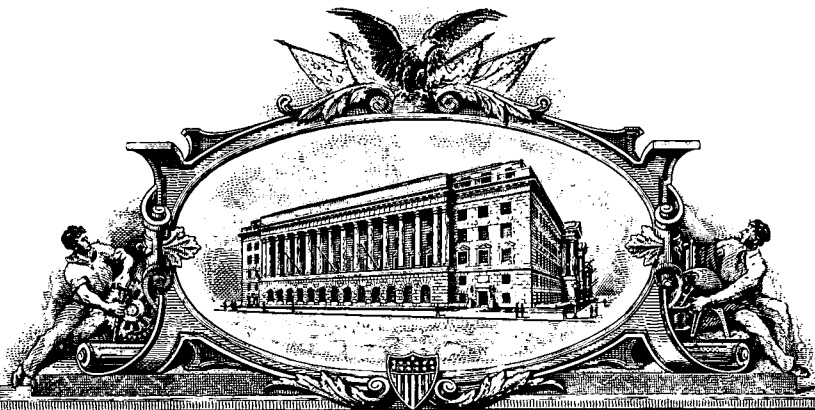
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 137**

7032997



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,308,087 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 11, 2000***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***NATIONAL CHICKEN COUNCIL, INCORPORATED  
A VIRGINIA CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*T. Wallace*  
**T. WALLACE**

**Certifying Officer**



Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,308,087

**United States Patent and Trademark Office**

Registered Jan. 11, 2000

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**CHICKEN AMERICA'S FAVORITE**

NATIONAL CHICKEN COUNCIL, INCORPORATED (VIRGINIA CORPORATION)  
1015 15TH STREET, N.W.  
SUITE 930  
WASHINGTON, DC 200052605 BY CHANGE OF  
NAME NATIONAL BROILER COUNCIL, INCORPORATED (VIRGINIA CORPORATION)  
WASHINGTON, DC 20005

FOR: ADVERTISING AND PROMOTIONAL SERVICES, NAMELY, ORGANIZING AND CONDUCTING PUBLIC RELATIONS PROGRAMS PROMOTING THE SALE AND CON-

SUMPTION OF CHICKEN, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-1-1999; IN COMMERCE 1-1-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHICKEN", APART FROM THE MARK AS SHOWN.

SER. NO. 75-563,450, FILED P.R. 10-2-1998; AM. S.R. 10-15-1999.

ANDREA KOYNER, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,308,087**

**United States Patent and Trademark Office**

**Registered Jan. 11, 2000**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**CHICKEN AMERICA'S FAVORITE**

NATIONAL CHICKEN COUNCIL, INCORPORATED (VIRGINIA CORPORATION)  
1015 15TH STREET, N.W.  
SUITE 930  
WASHINGTON, DC 200052605 BY CHANGE OF  
NAME NATIONAL BROILER COUNCIL, INCORPORATED (VIRGINIA CORPORATION)  
WASHINGTON, DC 20005

FOR: ADVERTISING AND PROMOTIONAL  
SERVICES, NAMELY, ORGANIZING AND  
CONDUCTING PUBLIC RELATIONS PROGRAMS  
PROMOTING THE SALE AND CON-

SUMPTION OF CHICKEN, IN CLASS 35 (U.S.  
CLS. 100, 101 AND 102).

FIRST USE 1-1-1999; IN COMMERCE  
1-1-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "CHICKEN", APART FROM  
THE MARK AS SHOWN.

SER. NO. 75-563,450, FILED P.R. 10-2-1998;  
AM. S.R. 10-15-1999.

ANDREA KOYNER, EXAMINING ATTORNEY

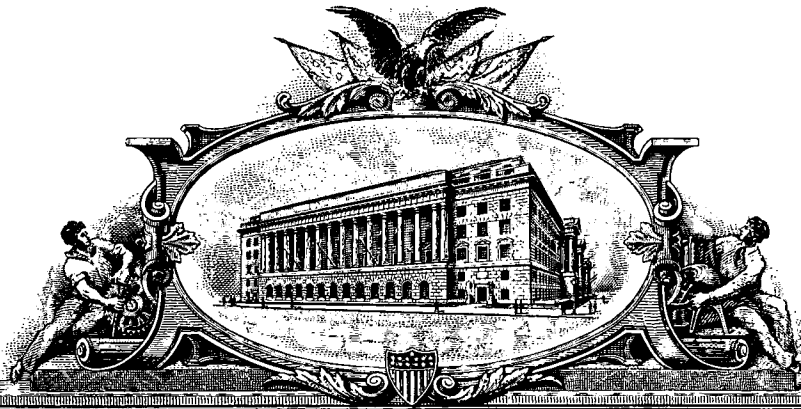
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 138**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,315,085 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 01, 2000***

**SAID RECORDS SHOW TITLE TO BE IN:**

***NATIONAL CHICKEN COUNCIL, INCORPORATED  
A VA CORP***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. R. GRANT  
Certifying Officer**





**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,315,085**

**United States Patent and Trademark Office**

**Registered Feb. 1, 2000**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**CHICKEN AMERICA'S FAVORITE**

NATIONAL CHICKEN COUNCIL, INCORPORATED (VIRGINIA CORPORATION)  
1015 15TH STREET, N.W.  
SUITE 930  
WASHINGTON, DC 200052605 BY CHANGE OF  
NAME NATIONAL BROILER COUNCIL, INCORPORATED (VIRGINIA CORPORATION) WASHINGTON, DC 20005

FOR: ASSOCIATION SERVICES, NAMELY, PROMOTING THE INTERESTS OF THE CHICKEN INDUSTRY, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-1999; IN COMMERCE 1-1-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHICKEN", APART FROM THE MARK AS SHOWN.

SER. NO. 75-563,451, FILED P.R. 10-2-1998; AM. S.R. 10-15-1999.

ANDREA KOYNER, EXAMINING ATTORNEY

**American Italian Pasta Company**

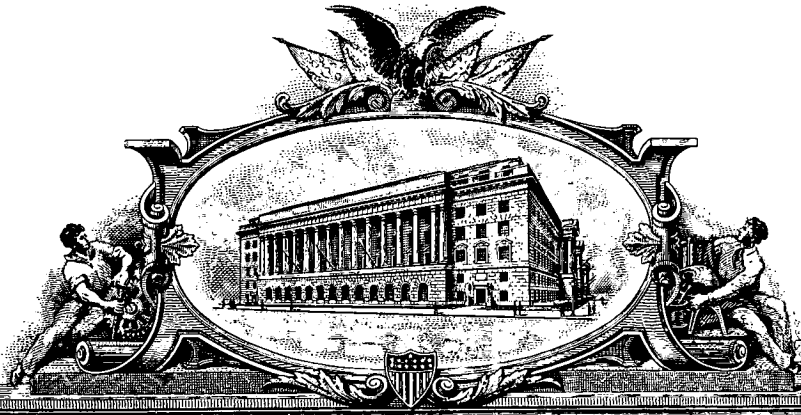
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 139**

7032997



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,506,337 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *November 13, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**P. R. GRANT  
Certifying Officer**

**Int. Cl.: 37**

**Prior U.S. Cls.: 100, 103 and 106**

**United States Patent and Trademark Office**

**Reg. No. 2,506,337**

**Registered Nov. 13, 2001**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE REPLACEMENT WINDOW**

APPLEBY SYSTEMS, INC. (PENNSYLVANIA  
CORPORATION)  
1800 TROLLEY ROAD  
YORK, PA 17404

FIRST USE 3-12-1995; IN COMMERCE 3-12-1995.

SER. NO. 76-153,049, FILED 10-25-2000.

FOR: WINDOW INSTALLATION SERVICES, IN  
CLASS 37 (U.S. CLS. 100, 103 AND 106).

DARLENE BULLOCK, EXAMINING ATTORNEY

**American Italian Pasta Company**

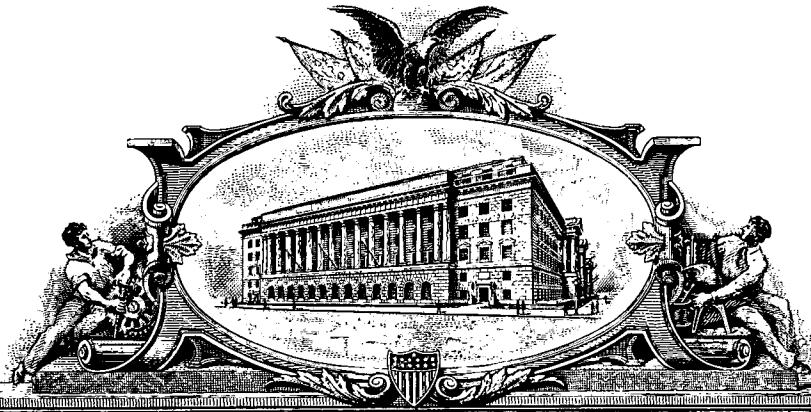
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 140**

7032997



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,561,713 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 16, 2002*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN  
Certifying Officer**



**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,561,713**

**United States Patent and Trademark Office**

**Registered Apr. 16, 2002**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE CHEESESTEAK**

ESCAPE ENTERPRISES, LTD. (OHIO LIMITED  
LIABILITY COMPANY)  
222 NEILSTON STREET  
COLUMBUS, OH 43215

SEC. 2(F).

SER. NO. 76-261,218, FILED 5-22-2001.

FOR: RESTAURANT SERVICES, IN CLASS 42  
(U.S. CLS. 100 AND 101).

FIRST USE 8-1-1991; IN COMMERCE 8-1-1991.

PATRICK JENNINGS, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

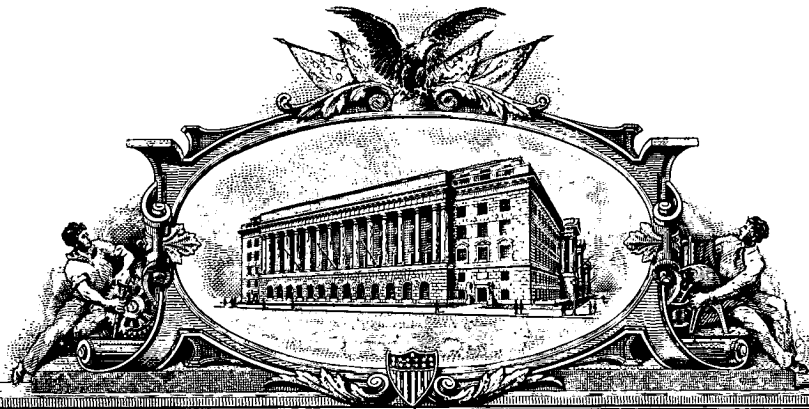
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 141**



7032997



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,899,204 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY NOT RENEWED.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 13, 1995***

**SECTION 8 & 15**

**LESS GOODS**

**SAID RECORDS SHOW TITLE TO BE IN:**

***JIFFY LUBE INTERNATIONAL, INC.***

***A NEVADA CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



**Int. Cl.: 37**

**Prior U.S. Cl.: 103**

**Reg. No. 1,899,204**

**United States Patent and Trademark Office** Registered June 13, 1995

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE OIL CHANGE**

**JIFFY LUBE INTERNATIONAL, INC.  
(NEVADA CORPORATION)  
31 PENNZOIL PLACE  
POST OFFICE BOX 2967  
HOUSTON, TX 77252**

**FOR: VEHICLE PREVENTIVE MAINTENANCE SERVICES; NAMELY, LUBRICATING CHASSIS; CHANGING MOTOR OIL; CHANGING OIL AND AIR FILTERS, REFILLING TRANSMISSION, DIFFERENTIAL, BRAKE, POWER STEERING, RADIATOR, WINDSHIELD WASHER AND BATTERY RESERVOIRS TO PROPER FLUID LEVELS; CHANG-**

**ING WINDSHIELD WIPER BLADES; INFLATING TIRES TO PROPER PRESSURE; VACUUMING INTERIOR; AND WASHING WINDOWS, IN CLASS 37 (U.S. CL. 103).**

**FIRST USE 0-0-1986; IN COMMERCE 0-0-1986.**

**NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "OIL CHANGE", APART FROM THE MARK AS SHOWN.  
SEC. 2(F).**

**SER. NO. 74-421,025, FILED 8-5-1993.**

**MICHAEL LEVY, EXAMINING ATTORNEY**

**American Italian Pasta Company**

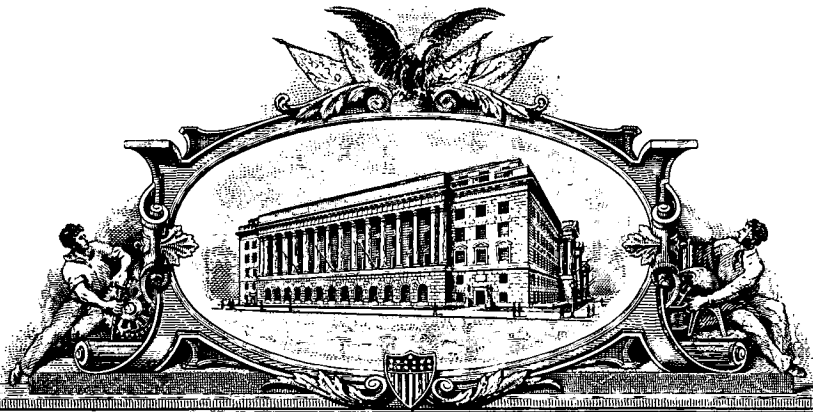
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 142**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,639,844 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *October 22, 2002*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*T. Wallace*  
**T. WALLACE**

**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,639,844**

**Registered Oct. 22, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE FEAST**

DOMINO'S PIZZA PMC, INC. (MICHIGAN CORPORATION)  
30 FRANK LLOYD WRIGHT DRIVE  
ANN ARBOR, MI 48105

OWNER OF U.S. REG. NO. 1,791,773.

FOR: HOT PIZZA MADE TO ORDER FOR CONSUMPTION ON OR OFF THE PREMISES, IN CLASS 30 (U.S. CL. 46).

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AMERICA'S FAVORITE", APART FROM THE MARK AS SHOWN.

SER. NO. 78-103,271, FILED 1-17-2002.

FIRST USE 10-1-2001; IN COMMERCE 10-1-2001.

REBECCA SMITH, EXAMINING ATTORNEY

**American Italian Pasta Company**

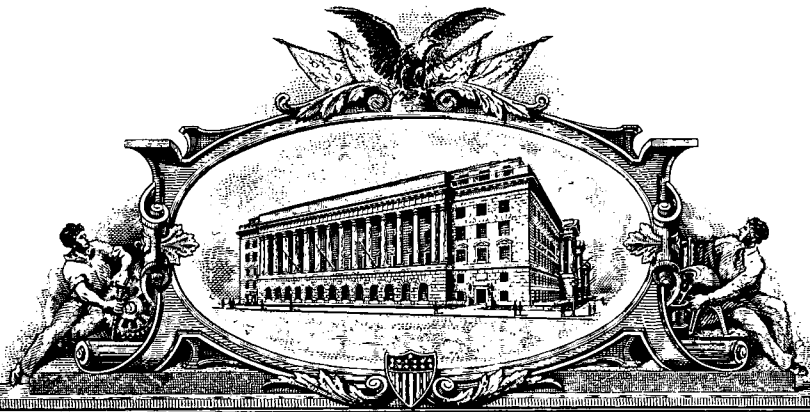
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 143**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,072,727 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *March 28, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *CENTRAL PURCHASING, LLC*  
*A LIMITED LIABILITY COMPANY CALIFORNIA***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**T. WALLACE**

**Certifying Officer**



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 3,072,727**

**Registered Mar. 28, 2006**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE TOOL STORE**

CENTRAL PURCHASING, LLC (CALIFORNIA  
LTD LIAB CO)  
3491 MISSION OAKS BOULEVARD  
CAMARILLO, CA 93011

FOR: RETAIL STORE SERVICES IN THE FIELDS  
OF HAND TOOLS, POWER TOOLS, AIR TOOLS  
AND ACCESSORIES FOR SUCH TOOLS, HARD-  
WARE, LAWN AND GARDEN EQUIPMENT AND  
AUTOMOTIVE TOOLS AND ACCESSORIES FOR  
SUCH TOOLS AND EQUIPMENT; MAIL ORDER  
CATALOG SERVICES IN THE FIELDS OF HAND  
TOOLS, POWER TOOLS, AIR TOOLS AND ACCE-  
SSORIES FOR SUCH TOOLS, HARDWARE, LAWN  
AND GARDEN EQUIPMENT AND AUTOMOTO-  
MOTIVE TOOLS AND ACCESSORIES FOR SUCH  
TOOLS AND EQUIPMENT; AND ONLINE RETAIL  
STORE SERVICES IN THE FIELD OF HAND TOOLS,  
POWER TOOLS, AIR TOOLS AND ACCESSORIES

FOR SUCH TOOLS HARDWARE, LAWN AND  
GARDEN EQUIPMENT AND AUTOMOTIVE  
TOOLS AND ACCESSORIES FOR SUCH TOOLS  
AND EQUIPMENT PROVIDED VIA AN INTERNET  
WEBSITE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-8-2003; IN COMMERCE 8-8-2003.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE TOOL STORE, APART FROM THE  
MARK AS SHOWN.

SEC. 2(F).

SER. NO. 78-276,913, FILED 7-21-2003.

FRED MANDIR, EXAMINING ATTORNEY



**American Italian Pasta Company**

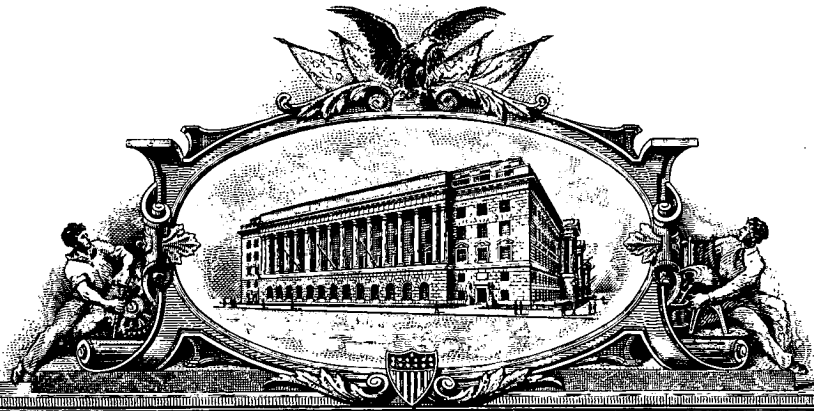
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 144**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**


**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,817,597 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 18, 1994***

**SAID RECORDS SHOW TITLE TO BE IN:**

***NATIONAL CONSUMER MARKETING, LLC  
A DELAWARE LTD LIAB JT ST CO***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**P. R. GRANT**

**Certifying Officer**



Int. Cl.: 16

Prior U.S. Cl.: 38

**United States Patent and Trademark Office**

**Reg. No. 1,817,597**

Registered Jan. 18, 1994

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE**

UNIFIED PRECIOUS METALS, INC. (CALI-  
FORNIA CORPORATION), DBA UNIFIED  
PRODUCT MARKETING,  
7034 SOPHIA AVENUE  
VAN NUYS, CA 91406

FIRST USE 3-1-1993; IN COMMERCE  
3-1-1993.

SER. NO. 74-378,602, FILED P.R. 4-14-1993;  
AM. S.R. 11-9-1993.

FOR: SPORTS TRADING CARDS, IN CLASS  
16 (U.S. CL. 38).

PRISCILLA MILTON, EXAMINING ATTOR-  
NEY

**American Italian Pasta Company**

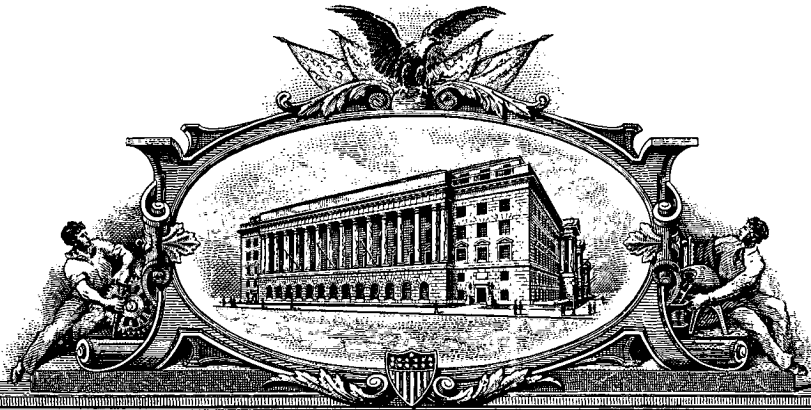
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 145**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,712,272 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 29, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *CHESTER BROTHERS, LLC*  
*A LIMITED LIABILITY COMPANY***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*L. Wallace*  
**T. WALLACE**

**Certifying Officer**



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,712,272**

**Registered Apr. 29, 2003**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MARKETPLACE**

SHOOSTER, DANIEL H. (UNITED STATES IN-  
DIVIDUAL)  
2900 WEST SAMPLE ROAD  
POMPANO BEACH, FL 33073

FIRST USE 4-11-2002; IN COMMERCE 2-21-2002.

SER. NO. 76-419,525, FILED P.R. 6-12-2002; AM. S.R.  
2-20-2003.

FOR: PREPARING AND DISSEMINATING AD-  
VERTISING FOR SHOPPING CENTER TENANTS,  
IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

CHARLES L. JENKINS, EXAMINING ATTORNEY

**American Italian Pasta Company**

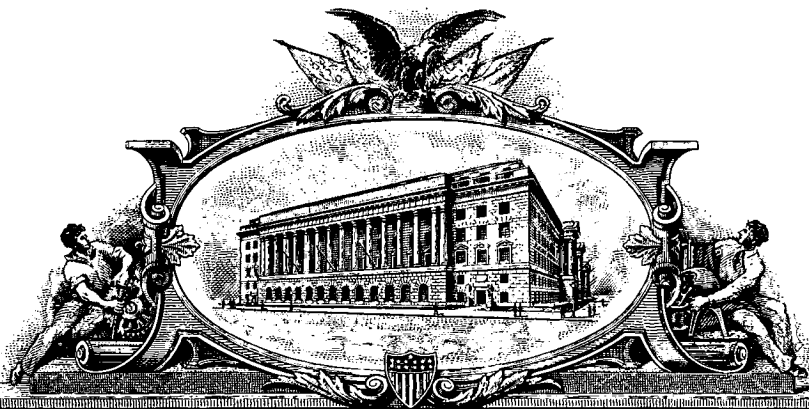
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 146**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 06, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,706,042 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *August 04, 1992***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *August 04, 2002***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***SIEMER INTERPRISES, INC.***

***A IL CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. R. GRANT**

**Certifying Officer**





**Int. Cl.: 31**

**Prior U.S. Cl.: 1**

**United States Patent and Trademark Office**

**Reg. No. 1,706,042**

**Registered Aug. 4, 1992**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE**

SIEMER DISTRIBUTORS, INC. (ILLINOIS CORPORATION)  
POST OFFICE BOX 580  
TEUTOPOLIS, IL 62467

FOR: BIRDSEED AND SEED FOR AGRICULTURAL PURPOSES; NAMELY, SUNFLOWER SEED, MIXED BIRD SEED, AND NIGERIAN THISTLE SEED, IN CLASS 31 (U.S. CL. 1).

FIRST USE 12-1-1990; IN COMMERCE 12-1-1990.

SER. NO. 74-127,742, FILED P.R. 1-3-1991; AM. S.R. 12-6-1991.

M. E. BODSON, EXAMINING ATTORNEY

**American Italian Pasta Company**

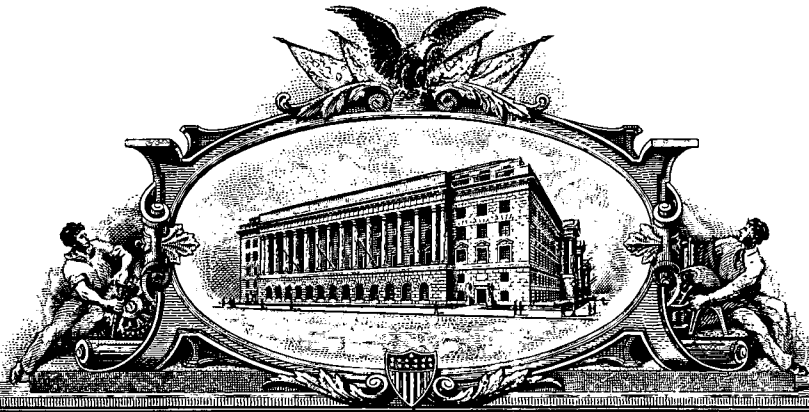
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 147**

7032993



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 06, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,837,304 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 17, 1994***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *May 17, 2004***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. R. GRANT**

**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 1,837,304**

**Registered May 17, 1994**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE HOLIDAY CANDY**

**R. M. PALMER COMPANY (PENNSYLVANIA  
CORPORATION)  
77 SECOND AVENUE  
WEST READING, PA 19611**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HOLIDAY CANDY", APART  
FROM THE MARK AS SHOWN.**

**FOR: CHOCOLATES AND OTHER CANDY,  
IN CLASS 30 (U.S. CL. 46).**

**SER. NO. 74-322,961, FILED P.R. 10-15-1992;  
AM. S.R. 12-14-1993.**

**FIRST USE 12-1-1992; IN COMMERCE  
12-1-1992.**

**ZHALEH KHABIRI, EXAMINING ATTORNEY**

**American Italian Pasta Company**

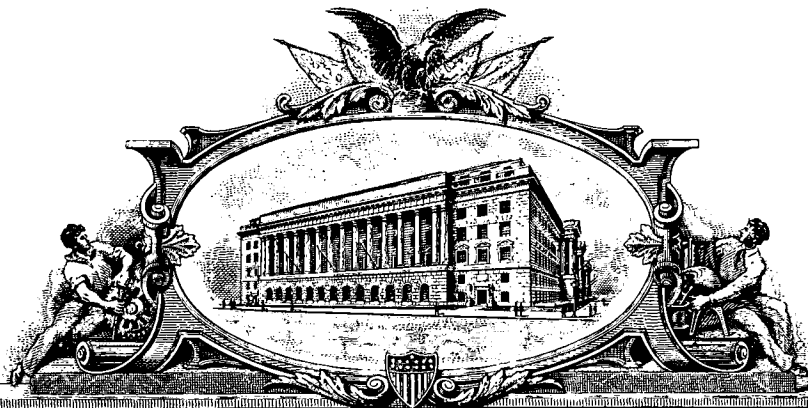
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 148**

7032993



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,263,243 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 20, 1999*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*HDN DEVELOPMENT CORPORATION*  
*A KENTUCKY CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*M. Tarver*  
M. TARVER  
Certifying Officer



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,263,243**

**United States Patent and Trademark Office**

**Registered July 20, 1999**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE**

**HDN DEVELOPMENT CORPORATION (KEN-  
TUCKY CORPORATION)  
7303 TURFWAY ROAD  
FLORENCE, KY 41042**

**FIRST USE 10-3-1972; IN COMMERCE  
12-1-1972.  
SEC. 2(F).**

**FOR: DOUGHNUTS, IN CLASS 30 (U.S. CL.  
46).**

**SER. NO. 75-538,444, FILED 8-18-1998.  
CAROL SPILS, EXAMINING ATTORNEY**

**American Italian Pasta Company**

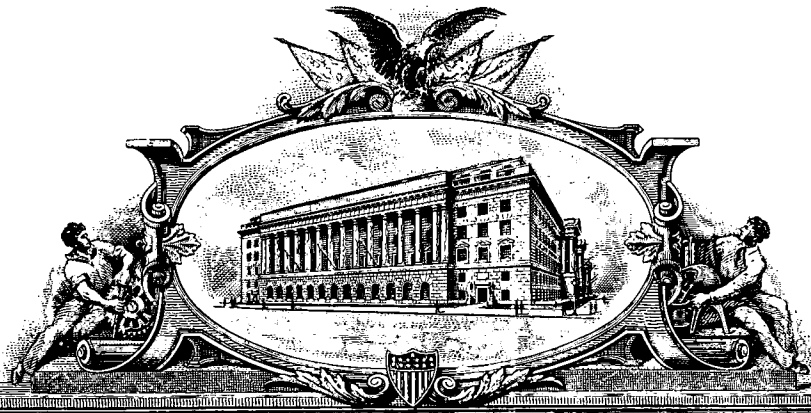
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 149**





# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,590,033 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 02, 2002*

SAID RECORDS SHOW TITLE TO BE IN:

*APPLIED VOICE & SPEECH TECHNOLOGIES, INC.*  
*A DELAWARE CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

P. SWAIN  
Certifying Officer



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**United States Patent and Trademark Office**

**Reg. No. 2,590,033**

**Registered July 2, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE RECEPTIONIST**

**SOUND ADVANTAGE, LLC. (CALIFORNIA LIMITED LIABILITY COMPANY)  
5 PARK PLAZA, SUITE 770  
IRVINE, CA 92614**

**FOR: COMPUTER PROGRAMS AND COMPUTER HARDWARE, BOTH FOR USE IN TELECOMMUNICATIONS MANAGEMENT AND FOR ENABLING VOICE MAIL, FACSIMILE TRANSMISSION, ELECTRONIC MAIL, THE RECEIPT AND DELIVERY OF ELECTRONIC MESSAGES, THE RECEIPT AND DELIVERY OF ELECTRONIC DOCUMENTS, THE ELECTRONIC RECEIPT AND**

**DELIVERY OF IMAGES, ELECTRONIC TRANSMISSION OF DATA, AND FOR USE IN PERSONAL CONTACTS MANAGEMENT, TELEPHONE CALL MANAGEMENT AND TIME MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**FIRST USE 3-7-2000; IN COMMERCE 3-7-2000.**

**SER. NO. 75-940,823, FILED P.R. 3-10-2000; AM. S.R. 1-30-2002.**

**ELIZABETH J. WINTER, EXAMINING ATTORNEY**

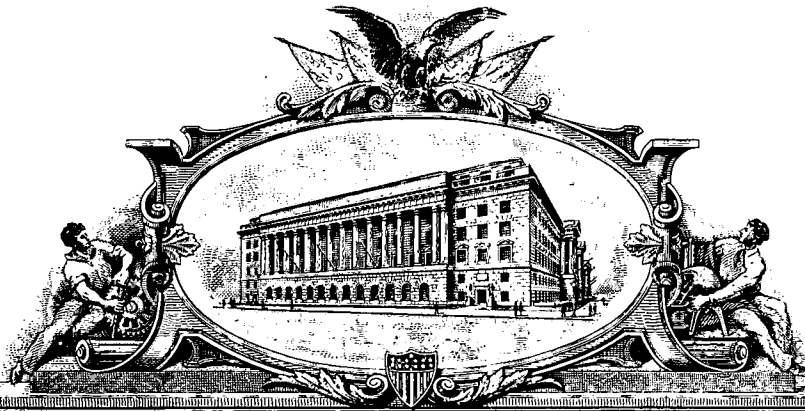
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 150**



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,590,036 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.


REGISTERED FOR A TERM OF 10 YEARS FROM *July 02, 2002*

SAID RECORDS SHOW TITLE TO BE IN:

*APPLIED VOICE & SPEECH TECHNOLOGIES, INC.*  
*A DELAWARE CORPORATION*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
H. L. JACKSON  
Certifying Officer



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**Reg. No. 2,590,036**

**United States Patent and Trademark Office**

**Registered July 2, 2002**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE VOICE MAIL**

**SOUND ADVANTAGE, LLC. (CALIFORNIA LIMITED LIABILITY COMPANY)  
5 PARK PLAZA, SUITE 770  
IRVINE, CA 92614**

**CONTACTS MANAGEMENT, TELEPHONE CALL MANAGEMENT AND TIME MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**FOR: COMPUTER PROGRAMS AND COMPUTER HARDWARE, BOTH FOR USE IN TELECOMMUNICATIONS MANAGEMENT AND FOR ENABLING VOICE MAIL, FACSIMILE TRANSMISSION, ELECTRONIC MAIL, THE RECEIPT AND DELIVERY OF ELECTRONIC MESSAGES, THE RECEIPT AND DELIVERY OF ELECTRONIC DOCUMENTS, THE ELECTRONIC RECEIPT AND DELIVERY OF IMAGES, ELECTRONIC TRANSMISSION OF DATA, AND FOR USE IN PERSONAL**

**FIRST USE 3-7-2000; IN COMMERCE 3-7-2000.**

**NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VOICE MAIL", APART FROM THE MARK AS SHOWN.**

**SER. NO. 75-940,995, FILED P.R. 3-10-2000; AM. S.R. 1-30-2002.**

**ELIZABETH J. WINTER, EXAMINING ATTORNEY**

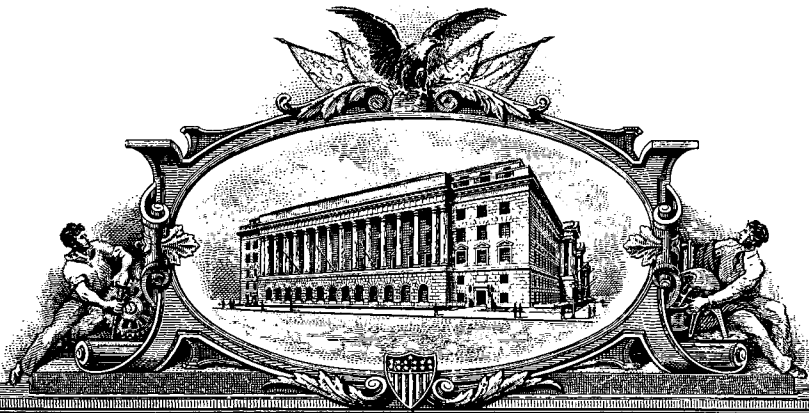
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 151**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,641,675 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *October 29, 2002***


**SAID RECORDS SHOW TITLE TO BE IN:**

***INTERSTATE BAKERIES CORPORATION  
A DELAWARE CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**H. L. JACKSON**  
**Certifying Officer**

**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,641,675**

**Registered Oct. 29, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE SNACK CAKES**

INTERSTATE BRANDS WEST CORPORATION  
(DELAWARE CORPORATION)  
12 EAST ARMOUR BOULEVARD  
KANSAS CITY, MO 64111

FOR: BAKED GOODS, NAMELY, COOKIES AND  
CAKES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 0-0-1985; IN COMMERCE 0-0-1985.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "SNACK CAKES", APART FROM  
THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 76-047,579, FILED 5-15-2000.

CYNTHIA CROCKETT, EXAMINING ATTORNEY



**American Italian Pasta Company**

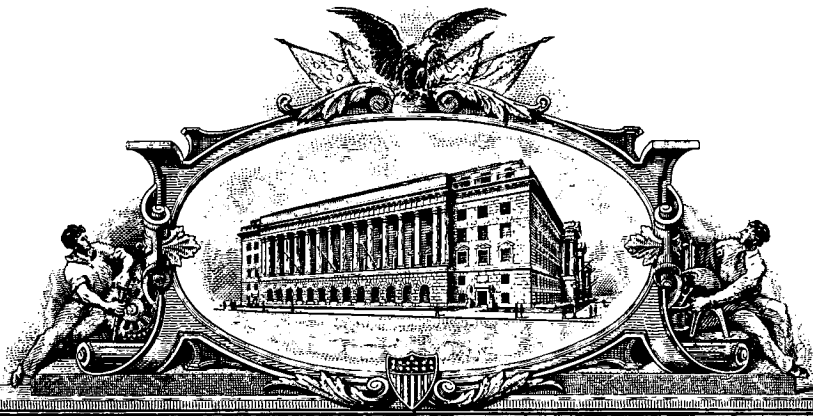
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 152**

7033002



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 10, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,806,008 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 13, 2004*  
SAID RECORDS SHOW TITLE TO BE IN: *TRIBE MEDITERRANEAN  
FOODS COMPANY, LLC*  
*A LIMITED LIABILITY COMPANY WASHINGTON***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*T. Wallace*  
**T. WALLACE**

**Certifying Officer**



**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,806,008**

**Registered Jan. 13, 2004**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE HUMMUS**

OCEAN BEAUTY SEAFOODS, INC. (WASHING-  
TON CORPORATION)  
1100 W. EWING STREET  
P.O. BOX 70739  
SEATTLE, WA 98107

FOR: HUMMUS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 4-0-2002; IN COMMERCE 4-0-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HUMMUS" , APART FROM THE  
MARK AS SHOWN.

SER. NO. 78-228,428, FILED P.R. 3-21-2003; AM. S.R.  
10-14-2003.

ROBERT LORENZO, EXAMINING ATTORNEY

**American Italian Pasta Company**

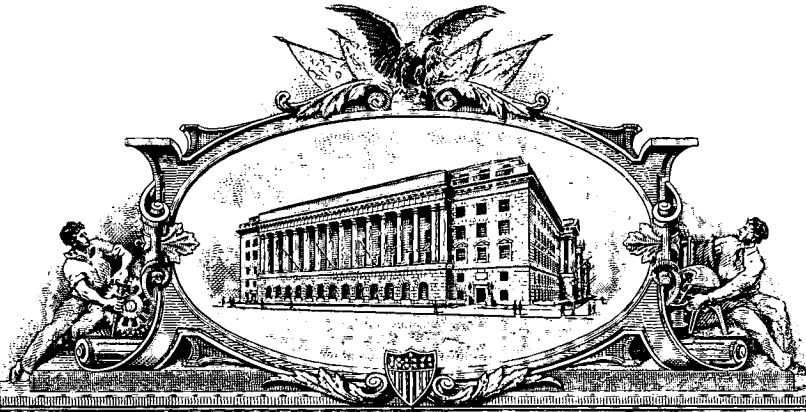
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 153**

7033002



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office


October 12, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,392,406 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 03, 2000*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



  
M. K. CARTER  
Certifying Officer

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,392,406**

**United States Patent and Trademark Office**

**Registered Oct. 3, 2000**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE KARTING STORE!**

FRANKLIN MOTORSPORTS, INC. (WISCONSIN  
CORPORATION)  
8041 S. 13TH STREET  
OAK CREEK, WI 53154

FOR: RETAIL STORE SERVICES FEATURING GO-  
CART EQUIPMENT AND CLOTHING, IN CLASS 35  
(U.S. CLS. 100, 101 AND 102).  
FIRST USE 4-1-1996; IN COMMERCE 4-1-1996.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "KARTING STORE", APART FROM THE  
MARK AS SHOWN.

SER. NO. 75-535,497, FILED P.R. 8-7-1998; AM.  
S.R. 7-14-1999.

SHANNA WINTERS, EXAMINING ATTORNEY

**American Italian Pasta Company**

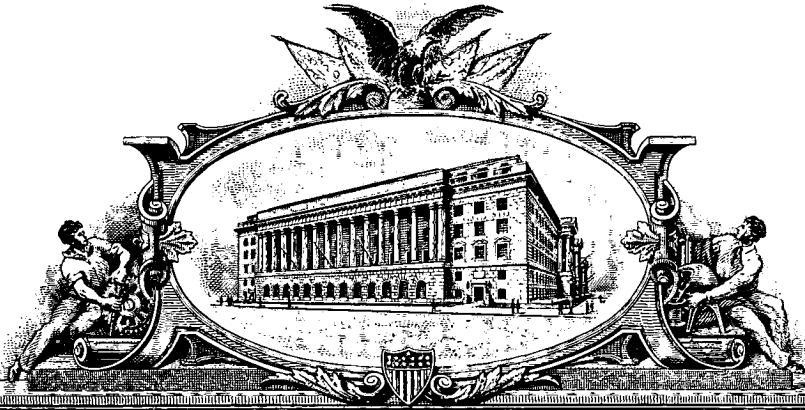
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 154**

7033002



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,853,695 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 15, 2004*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*H. L. Jackson*  
**H. L. JACKSON**  
**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,853,695**

**Registered June 15, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**TUMARO'S GOURMET TORTILLAS AMERICA'S FAVORITE  
GOURMET TORTILLAS**

TUMARO'S INC. (CALIFORNIA CORPORATION)  
SUITE 311

5300 SANTA MONICA BLVD.  
LOS ANGELES, CA 90029

FOR: TORTILLAS AND CREPES, IN CLASS 30  
(U.S. CL. 46).

FIRST USE 10-14-2002; IN COMMERCE 10-14-2002.

OWNER OF U.S. REG. NOS. 1,893,236, 2,764,541  
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE GOURMET TORTILLAS AMERI-  
CA'S FAVORITE GOURMET TORTILLAS, APART  
FROM THE MARK AS SHOWN.

SER. NO. 78-241,127, FILED 4-23-2003.

ODESSA BIBBINS, EXAMINING ATTORNEY

**American Italian Pasta Company**

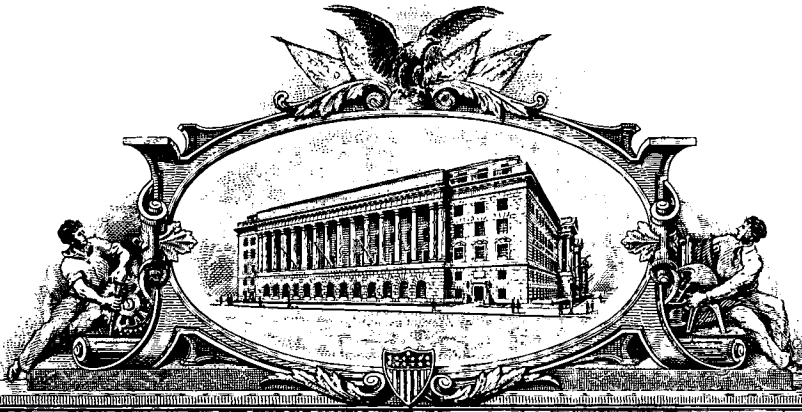
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 155**

7033002



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,122,025 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 16, 1997*

*CANCELLED SECTION 8*

SAID RECORDS SHOW TITLE TO BE IN:

*Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



H. L. JACKSON  
Certifying Officer

**Int. Cls.: 16, 21, and 42**

**Prior U.S. Cls.: 2, 5, 13, 22, 23, 29, 30, 33, 37, 38,  
40, 50, 100, and 101**

**Reg. No. 2,122,025**

**United States Patent and Trademark Office**

**Registered Dec. 16, 1997**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



CARRIE CONCESSIONS, INC. (FLORIDA CORPORATION)  
MIAMI INTERNATIONAL AIRPORT, CONCOURSE E  
P.O. BOX 996697  
MIAMI, FL 332996697

FOR: PAPER NAPKINS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-2-1995; IN COMMERCE 11-2-1995.

FOR: PAPER CUPS AND PAPER PLATES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 6-16-1995; IN COMMERCE 6-16-1995.

FOR: RESTAURANT SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-5-1995; IN COMMERCE 1-5-1995.

THE STIPPLING IN THE MARK IS MEANT TO INDICATE SHADING.

SN 74-653,759, FILED 3-30-1995.

SOPHIA F. KIM, EXAMINING ATTORNEY

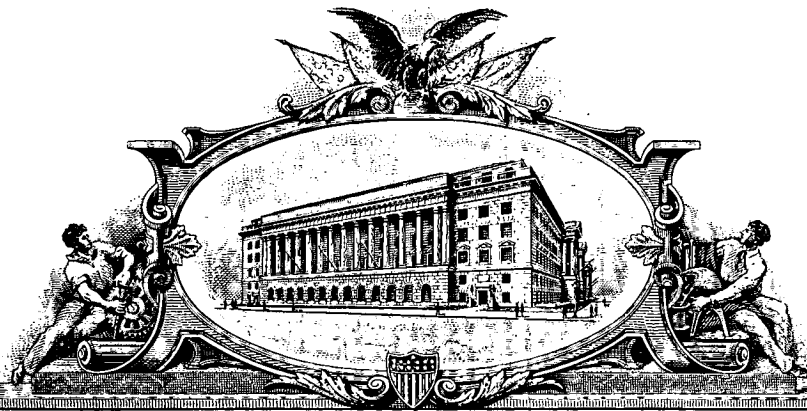
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 156**



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,119,233 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 09, 1997*

SAID RECORDS SHOW TITLE TO BE IN:

*KRAFT FOODS HOLDINGS, INC.*

*A DELAWARE CORPORATION*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



*H. L. Jackson*  
H. L. JACKSON  
Certifying Officer

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,119,233

**United States Patent and Trademark Office**

Registered Dec. 9, 1997

**TRADEMARK  
PRINCIPAL REGISTER**



FAVORITE BRANDS INTERNATIONAL, INC.  
(DELAWARE CORPORATION)  
75 TRI STATE INTERNATIONAL  
LINCOLNSHIRE, IL 60069

FOR: CONFECTIONERY, NAMELY, CANDY,  
CARAMELS, MARSHMALLOWS, MARSHMAL-  
LOW CREME, AND FUDGE, IN CLASS 30 (U.S.  
CL. 46).

FIRST USE 7-0-1996; IN COMMERCE  
7-0-1996.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE  
SINCE", APART FROM THE MARK AS  
SHOWN.

THE LINING IN THE DRAWING IS A FEAT-  
URE OF THE MARK, AND IT IS NOT IN-  
TENDED TO INDICATE COLOR.

THE MARK CONSISTS OF THE DESIGN OF  
A CANOPIED BUILDING, WITH THE STYL-  
IZED LETTERS "FBI" APPEARING DIRECT-  
LY ABOVE THE BUILDING, AND THE  
PHRASE "AMERICA'S FAVORITE SINCE"  
(FOLLOWED BY A DATE OF ORIGIN, WHICH  
VARIES FROM CANDY TO CANDY), ALL  
BEING ENCLOSED IN A BANNER AND SEAL-  
WITH-RIBBON DESIGN.

SER. NO. 75-144,931, FILED 8-5-1996.

BARBARA A. LOUGHRAN, EXAMINING AT-  
TORNEY

**American Italian Pasta Company**

**v.**

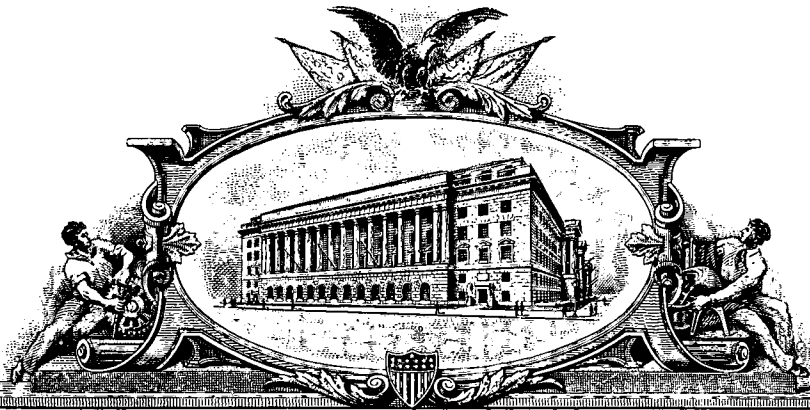
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 157**



7033002



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 10, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,674,342 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 04, 1992***

**SECTION 8 & 15**

**CANCELLED SECTION 8**

**CLASS(ES) CANCELLED:**

***INT. CLASS 025***

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*T. Wallace*  
**T. WALLACE**

**Certifying Officer**

Int. Cl.: 25

Prior U.S. Cl.: 39

**United States Patent and Trademark Office**

**Reg. No. 1,674,342**

**Registered Feb. 4, 1992**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE 25K**

SHELBY GROUP INTERNATIONAL, INC.  
(TENNESSEE CORPORATION)  
5321 E. SHELBY DRIVE  
MEMPHIS, TN 38118

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE",  
APART FROM THE MARK AS SHOWN.

FOR: GLOVES, IN CLASS 25 (U.S. CL. 39).  
FIRST USE 3-1-1985; IN COMMERCE  
3-1-1985.

SER. NO. 74-125,163, FILED 12-17-1990.

CHRISIE B. KING, EXAMINING ATTORNEY

**American Italian Pasta Company**

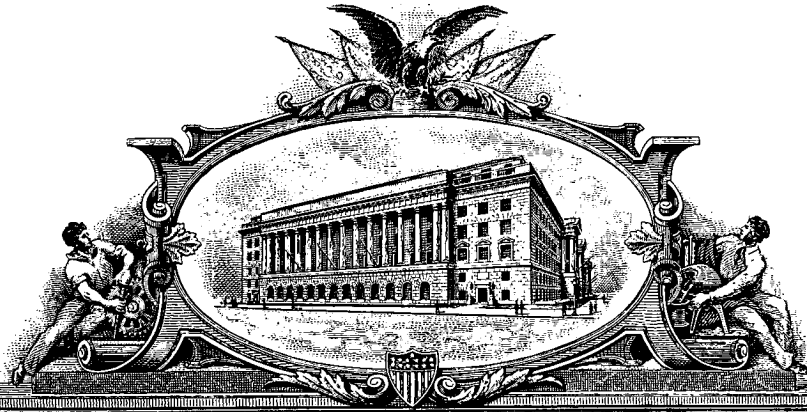
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 158**

7033002



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**


**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,479,220 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *August 21, 2001***

**SAID RECORDS SHOW TITLE TO BE IN:**

***FOOTSTAR CORPORATION  
A TEXAS CORPORATION***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**H. L. JACKSON**  
**Certifying Officer**



**Int. Cl.: 25**

**Prior U.S. Cls.: 22 and 39**

**United States Patent and Trademark Office**

**Reg. No. 2,479,220**

**Registered Aug. 21, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE WORKBOOTS**

**FOOTSTAR CORPORATION (TEXAS CORPORATION)  
933 MACARTHUR BLVD.  
MAHWAH, NJ 07430**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "WORKBOOTS" , APART FROM  
THE MARK AS SHOWN.**

**SEC. 2(F) AMERICA'S FAVORITE.**

**FOR: BOOTS, IN CLASS 25 (U.S. CLS. 22 AND 39).**

**SER. NO. 75-838,350, FILED 11-2-1999.**

**FIRST USE 1-1-1994; IN COMMERCE 1-1-1994.**

**KIM SAITO, EXAMINING ATTORNEY**

**American Italian Pasta Company**

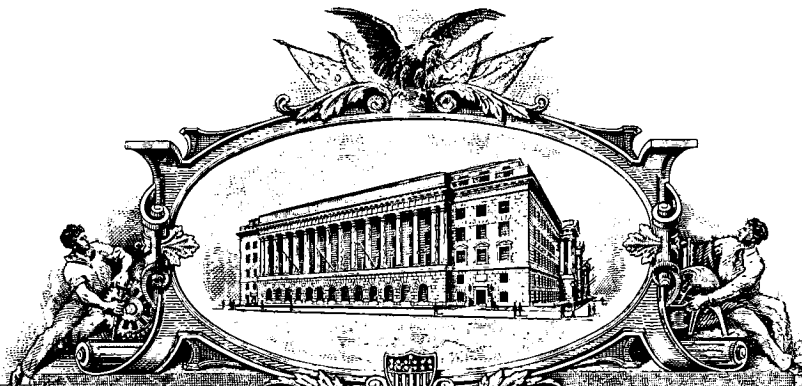
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 159**

7033019



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,953,789 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 17, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**

**Certifying Officer**



Int. Cl.: 29

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

**Reg. No. 2,953,789**

**Registered May 17, 2005**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**America's Favorite 1 Lb. Deli-Pouch**

LAND O' FROST (ILLINOIS CORPORATION)  
16850 CHICAGO AVENUE  
LANSING, IL 60438

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE 1 LB. DELI-POUCH, APART FROM  
THE MARK AS SHOWN.

FOR: PROCESSED MEAT AND POULTRY PRO-  
DUCTS, NAMELY, COOKED AND SLICED CHICK-  
EN, PORK, BEEF AND TURKEY, IN CLASS 29 (U.S.  
CL. 46).

SER. NO. 76-579,644, FILED P.R. 3-8-2004; AM. S.R.  
11-12-2004.

FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

MARTHA SANTOMARTINO, EXAMINING ATTOR-  
NEY



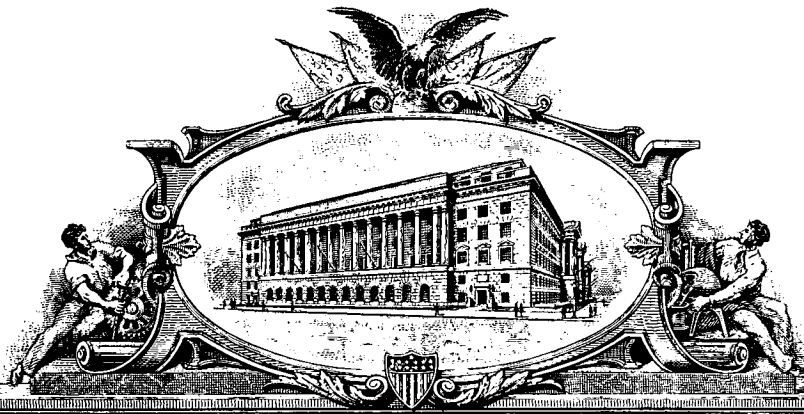
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 160**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,934,459 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *March 22, 2005***

**SAID RECORDS SHOW TITLE TO BE IN:**

***HARRY AND DAVID  
A CORP OF OREGON***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE  
Certifying Officer**



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,934,459**

**Registered Mar. 22, 2005**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE BUSINESS GIFTS**

HARRY AND DAVID (OREGON CORPORATION)  
2500 SOUTH PACIFIC HIGHWAY  
P.O. BOX 712  
MEDFORD, OR 97501

FOR: MAIL ORDER SERVICES IN THE FIELD OF  
FOODS, FLOWERS, AND OTHER GIFTS, IN CLASS  
35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-0-1998; IN COMMERCE 10-0-1998.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,306,720.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "GIFTS", APART FROM THE  
MARK AS SHOWN.

SEC. 2(F).

SER. NO. 76-565,166, FILED 12-2-2003.

REBECCA SMITH, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 161**

7033019

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,306,720 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 04, 2000***

**SAID RECORDS SHOW TITLE TO BE IN:**

***HARRY AND DAVID  
A CORP OF OREGON***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**T. LAWRENCE  
Certifying Officer**



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,306,720**

**United States Patent and Trademark Office**

**Registered Jan. 4, 2000**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE BUSINESS GIFTS**

**HARRY AND DAVID (OREGON CORPORATION)  
2518 S. PACIFIC HIGHWAY  
P.O. BOX 712  
MEDFORD, OR 97501**

**FOR: MAIL ORDER SERVICES IN THE  
FIELD OF FOODS, FLOWERS, AND OTHER  
GIFTS, IN CLASS 35 (U.S. CLS. 100, 101 AND  
102).**

**FIRST USE 10-0-1998; IN COMMERCE  
10-0-1998.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "GIFTS", APART FROM THE  
MARK AS SHOWN.**

**SER. NO. 75-547,200, FILED P.R. 9-1-1998; AM.  
S.R. 9-10-1999.**

**AMY GEARIN, EXAMINING ATTORNEY**

**American Italian Pasta Company**

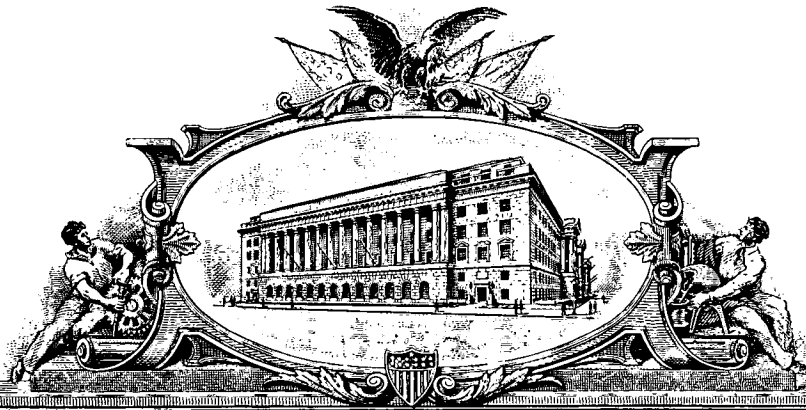
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 162**

7033019



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,458,792 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 05, 2001***


**SAID RECORDS SHOW TITLE TO BE IN:**

***PAT FRANCHISE SYSTEMS, INC.***

***A DE CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**  
**Certifying Officer**





**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,458,792**

**Registered June 5, 2001**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE SKINLESS CHICKEN SINCE 1981**

**PUDGIE'S FAMOUS CHICKEN, LLC (DELA-  
WARE CORPORATION)  
5 DAKOTA DRIVE, SUITE 302  
LAKE SUCCESS, NY 11042**

**OWNER OF U.S. REG. NO. 2,420,309.**

**FOR: FRANCHISING SERVICES, NAMELY, OF-  
FERING TECHNICAL ASSISTANCE IN THE ESTAB-  
LISHMENT AND/OR OPERATION OF  
RESTAURANT CARRYOUT SERVICES, IN CLASS  
35 (U.S. CLS. 100, 101 AND 102).**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "SKINLESS CHICKEN SINCE  
1981", APART FROM THE MARK AS SHOWN.**

**SER. NO. 75-832,887, FILED P.R. 10-28-1999; AM.  
S.R. 4-19-2000.**

**FIRST USE 12-11-1989; IN COMMERCE 12-11-1989.**

**ALICIA COLLINS, EXAMINING ATTORNEY**

**American Italian Pasta Company**

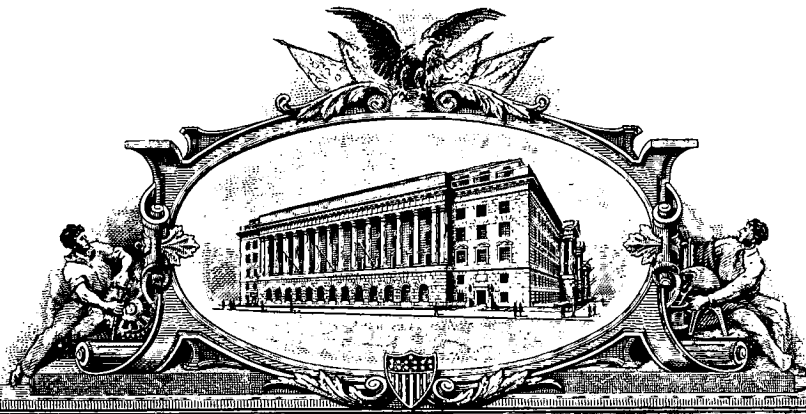
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 163**

7033019



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,420,309 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 09, 2001***

**SAID RECORDS SHOW TITLE TO BE IN:**

***PAT FRANCHISE SYSTEMS, INC.  
A DE CORP***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**T. LAWRENCE  
Certifying Officer**

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,420,309**

**United States Patent and Trademark Office**

**Registered Jan. 9, 2001**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE SKINLESS CHICKEN SINCE 1981**

PUDGIE'S FAMOUS CHICKEN, LLC (DELAWARE  
CORPORATION)  
5 DAKOTA DRIVE, SUITE 302  
LAKE SUCCESS, NY 11042

FOR: RESTAURANT CARRY-OUT SERVICES, IN  
CLASS 42 (U.S. CLS. 100 AND 101).  
FIRST USE 12-11-1989; IN COMMERCE  
12-11-1989.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "SKINLESS CHICKEN SINCE 1981",  
APART FROM THE MARK AS SHOWN.

SER. NO. 75-832,888, FILED P.R. 10-28-1999; AM.  
S.R. 7-26-2000.

ALICIA COLLINS, EXAMINING ATTORNEY

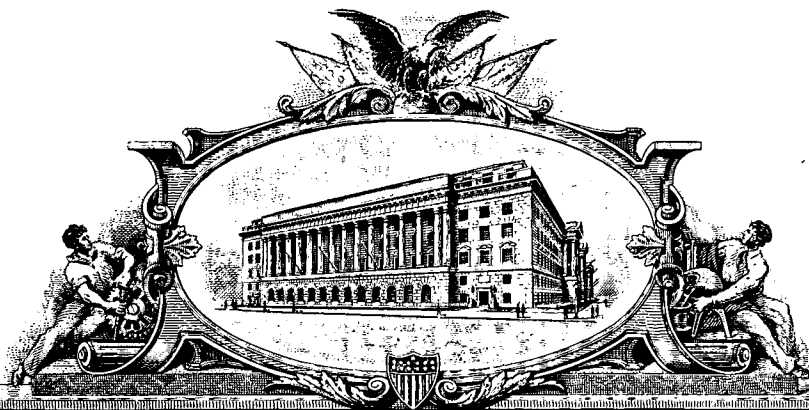
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 164**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,712,277 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 29, 2003***

**SAID RECORDS SHOW TITLE TO BE IN:**

***CHESTER BROTHERS, LLC  
A LIMITED LIABILITY COMPANY***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE  
Certifying Officer**



**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,712,277**

**Registered Apr. 29, 2003**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MARKETPLACE**

SHOOSTER, DANIEL H. (UNITED STATES IN-  
DIVIDUAL)  
2900 WEST SAMPLE ROAD  
POMPANO BEACH, FL 330733026

FIRST USE 2-21-2002; IN COMMERCE 4-11-2002.

SER. NO. 76-440,765, FILED P.R. 8-12-2002; AM. S.R.  
2-20-2003.

FOR: LEASING OF SHOPPING-CENTER SPACE,  
IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

CHARLES L. JENKINS, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

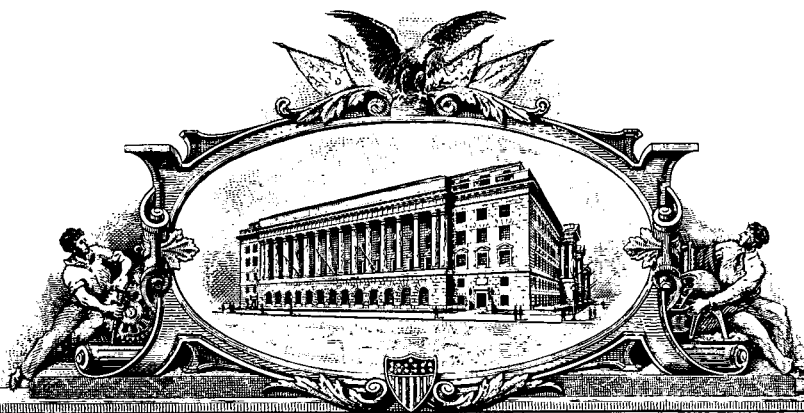
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 165**



7033019



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,994,383 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *September 13, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE  
Certifying Officer**



Int. Cl.: 30

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

**Reg. No. 2,994,383**

**Registered Sep. 13, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**

**America's Favorite  
Popcorn**

BLACKSTONE, DAVID (CANADA INDIVIDUAL)  
500 BAYVIEW DR. SUITE 722  
SUNNY ISLES BEACH, FL 33160

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "POPCORN", APART FROM THE  
MARK AS SHOWN.

FOR: POPCORN, IN CLASS 30 (U.S. CL. 46).

SEC. 2(F).

FIRST USE 1-30-1997; IN COMMERCE 4-6-1999.

SER. NO. 78-343,879, FILED 12-20-2003.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

ALICIA COLLINS, EXAMINING ATTORNEY

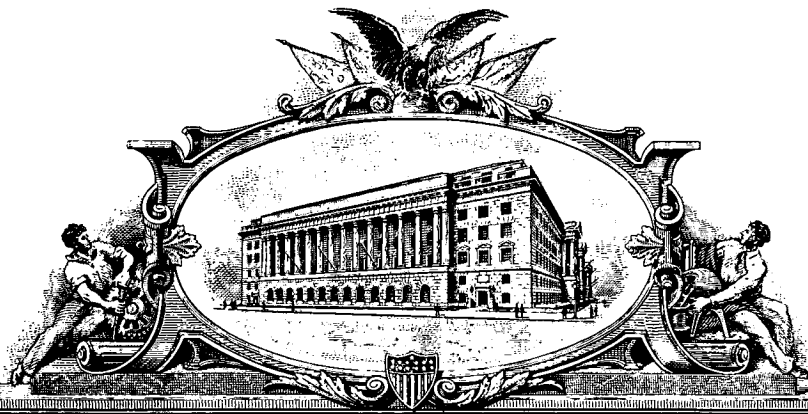
**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 166**



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,740,021 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 22, 2003*

SAID RECORDS SHOW TITLE TO BE IN:

*CHESTER BROTHERS, LLC*  
*A LIMITED LIABILITY COMPANY*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

T. LAWRENCE  
Certifying Officer



**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,740,021**

**Registered July 22, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**FESTIVAL MARKETPLACE, AMERICA'S FAVORITE MARKETPLACE**

SHOOSTER, DANIEL H. (UNITED STATES IN-  
DIVIDUAL)  
2900 WEST SAMPLE ROAD  
POMPANO BEACH, FL 33073

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MARKETPLACE" AND "AMER-  
ICA'S FAVORITE MARKETPLACE", APART FROM  
THE MARK AS SHOWN.

FOR: LEASING OF SHOPPING-CENTER SPACE,  
IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

SER. NO. 76-440,766, FILED 8-12-2002.

FIRST USE 4-12-2002; IN COMMERCE 4-25-2002.

CHARLES L. JENKINS, EXAMINING ATTORNEY

**American Italian Pasta Company**

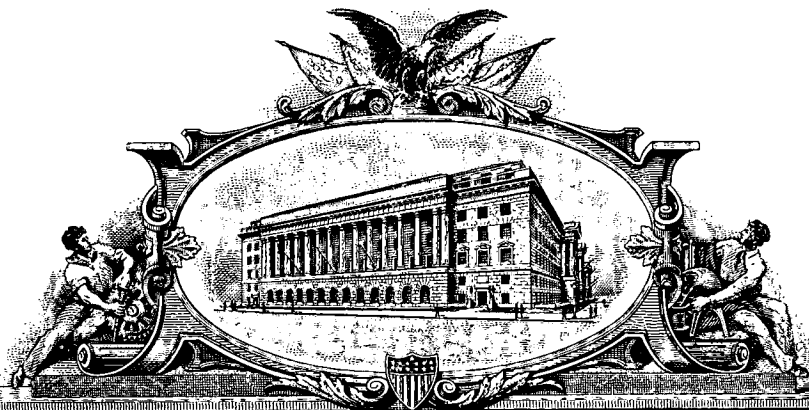
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 167**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,868,126 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 27, 2004*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**P. SWAIN**

**Certifying Officer**



**Int. Cls.: 20 and 24**

**Prior U.S. Cls.: 2, 13, 22, 25, 32, 42, and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,868,126**

**Registered July 27, 2004**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MATTRESS**

SERTA, INC. (DELAWARE CORPORATION)  
325 SPRING LAKE DRIVE  
ITASCA, IL 60143

FOR: MATTRESSES AND MATTRESS FOUNDATIONS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 4-0-2002; IN COMMERCE 4-0-2002.

FOR: MATTRESS PADS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FIRST USE 4-0-2002; IN COMMERCE 4-0-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MATTRESS", APART FROM THE MARK AS SHOWN.

SER. NO. 76-975,845, FILED P.R. 3-27-2002; AM. S.R. 1-6-2003.

ANNE MADDEN, EXAMINING ATTORNEY



**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 168**

7033018

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,359,173 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *June 20, 2000*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*PROMOTION IN MOTION, INC.*

*A DE CORP*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



T. LAWRENCE  
Certifying Officer



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,359,173**

**United States Patent and Trademark Office**

**Registered June 20, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE CANDIES**

PROMOTION IN MOTION, INC. (DELAWARE CORPORATION)  
3 REUTEN DRIVE  
CLOSTER, NJ 07624

FOR: CANDY NOT INCLUDING JELLY BEANS,  
IN CLASS 30 (U.S. CL. 46).

FIRST USE 11-18-1985; IN COMMERCE  
11-18-1985.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "CANDIES" , APART FROM THE MARK  
AS SHOWN.

SEC. 2(F).

SER. NO. 75-470,400, FILED 4-20-1998.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY

**American Italian Pasta Company**

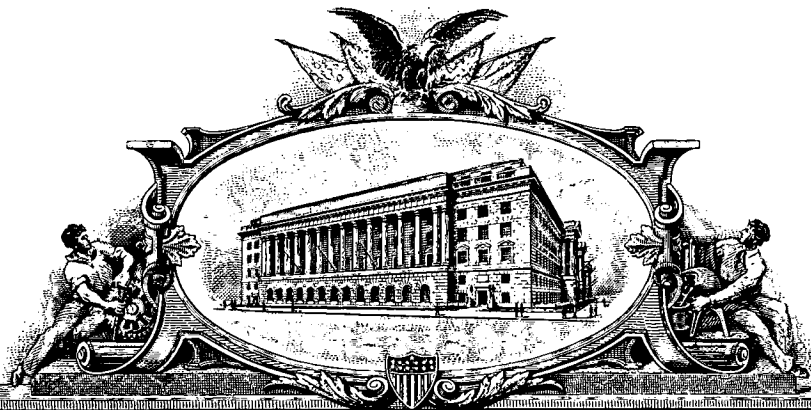
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 169**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,768,392 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 23, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
T. WALLACE  
Certifying Officer



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,768,392**

**Registered Sep. 23, 2003**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE SHOPPING DESTINATIONS**

GENERAL GROWTH PROPERTIES, INC. (DELA-  
WARE CORPORATION)  
110 NORTH WACKER DRIVE  
CHICAGO, IL 60602

FOR: PROMOTING THE SERVICES OF RETAIL  
SHOPPING CENTERS THROUGH THE DISTRIBUTION OF PRINTED AND AUDIO PROMOTIONAL MATERIALS AND BY RENDERING SALES PROMOTION ADVICE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-2001; IN COMMERCE 5-0-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "SHOPPING DESTINATIONS",  
APART FROM THE MARK AS SHOWN.

SER. NO. 76-361,973, FILED P.R. 1-22-2002; AM. S.R.  
10-24-2002.

MARC LEIPZIG, EXAMINING ATTORNEY

**American Italian Pasta Company**

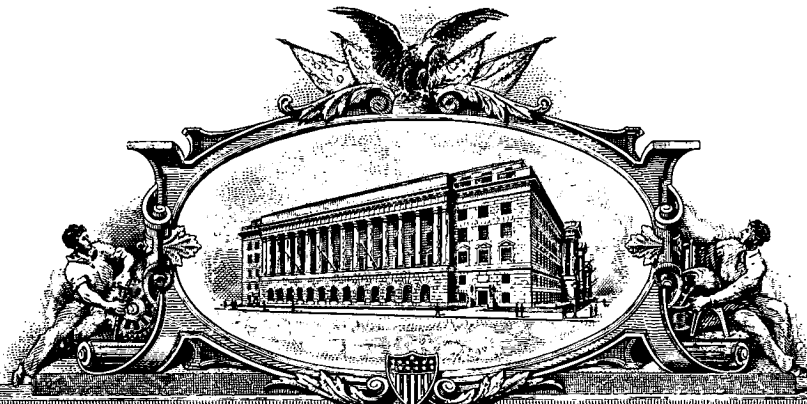
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 170**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,242,272 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 27, 1999*

*CANCELLED SECTION 8*

SAID RECORDS SHOW TITLE TO BE IN:

*DFO, INC.*

*A DELAWARE CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE

Certifying Officer





**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**Reg. No. 2,242,272**

**United States Patent and Trademark Office**

**Registered Apr. 27, 1999**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE OMELETTES**

**DFO, INC. (DELAWARE CORPORATION)  
203 EAST MAIN STREET  
SPARTANBURG, SC 29319**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "OMELETTES", APART FROM  
THE MARK AS SHOWN.**

**FOR: BREAKFAST MENU MEALS CONSIST-  
ING PRIMARILY OF EGGS FOR CONSUMP-  
TION ON OR OFF THE PREMISES, IN CLASS  
29 (U.S. CL. 46).**

**SER. NO. 75-458,364, FILED P.R. 3-27-1998;  
AM. S.R. 11-17-1998.**

**FIRST USE 10-31-1996; IN COMMERCE  
10-31-1996.**

**ELIZABETH PASQUINE, EXAMINING ATTOR-  
NEY**

**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 171**

7033018

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 05, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,520,064 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 18, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



T. LAWRENCE  
Certifying Officer

**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,520,064**

**Registered Dec. 18, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE MUSHROOM**

GIORGIFRED COMPANY (DELAWARE COR-  
PORATION)  
C/O DELAWARE TRUST MANAGEMENT COMPA-  
NY  
P.O. BOX 8841  
WILMINGTON, DE 19899

FOR: CANNED AND BOTTLED MUSHROOMS,  
IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-21-1992; IN COMMERCE 8-24-1992.

OWNER OF U.S. REG. NO. 1,777,517.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MUSHROOM", APART FROM  
THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 76-242,730, FILED 4-18-2001.

LINDA ORNDORFF, EXAMINING ATTORNEY

**American Italian Pasta Company**

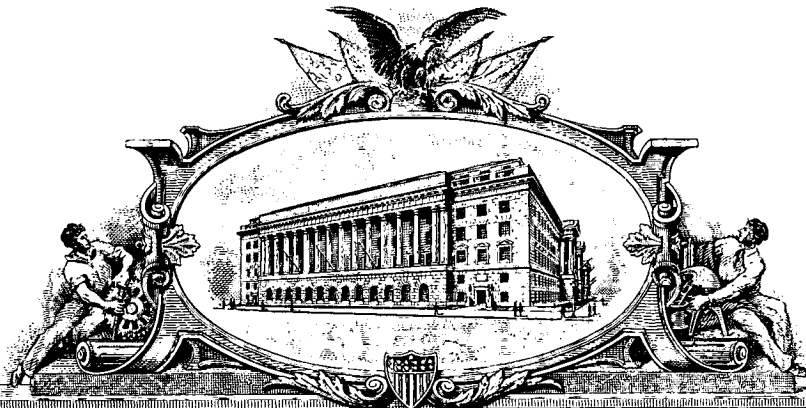
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 172**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,331,109 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *March 21, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***MISTER SPARKY FRANCHISING, LLC***

***A FL LLC***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**E. BORNETT**

**Certifying Officer**



Int. Cl.: 37

Prior U.S. Cls.: 100, 103 and 106

Reg. No. 2,331,109

**United States Patent and Trademark Office**

Registered Mar. 21, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**



MISTER SPARKY, INC. (GEORGIA CORPORATION)  
2769 MEADOW DRIVE  
MARIETTA, GA 30062

FOR: ELECTRICAL REPAIRS, INSTALLATION AND CONTRACTING SERVICES FOR RESIDENTIAL AND COMMERCIAL WIRING OF ELECTRICAL APPARATUSSES, APPLIANCES, STEREO COMPONENTS, AND TELEVISION COMPONENTS, ELECTRICAL PANELS, ELECTRICAL OUTLETS, SWITCHES

AND LIGHT FIXTURES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-22-1995; IN COMMERCE 1-0-1996.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AMERICA'S FAVORITE ELECTRICIAN", APART FROM THE MARK AS SHOWN.

SER. NO. 75-512,852, FILED 6-30-1998.

TONJA GASKINS, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

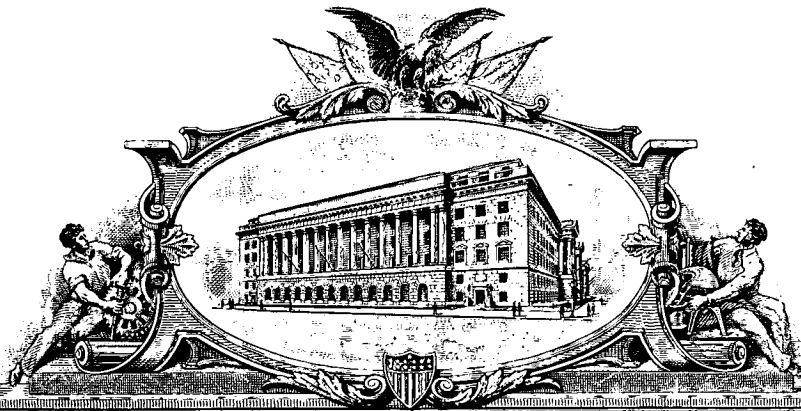
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 173**



7033018



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 03, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,864,842 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 20, 2004*

AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED

SAID RECORDS SHOW TITLE TO BE IN:

*Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*E. Bornett*  
E. BORNETT

Certifying Officer



Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33 and 50

Reg. No. 2,864,842

United States Patent and Trademark Office

Registered July 20, 2004

Corrected

OG Date Aug. 30, 2005

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE GARAGE DOORS**

CLOPAY BUILDING PRODUCTS R&D  
COMPANY, INC. (DELAWARE COR-  
PORATION), DBA CLOPAY BUILDING  
PRODUCTS COMPANY, INC.,  
8585 DUKE BOULEVARD  
MASON, OH 450403101

NO CLAIM IS MADE TO THE EXCLU-  
SIVE RIGHT TO USE GARAGE DOORS,  
APART FROM THE MARK AS SHOWN.

SEC. 2(F).

FOR: NON-METAL GARAGE DOORS,  
IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 3-31-1998; IN COMMERCE  
3-31-1998.

SER. NO. 78-190,013, FILED 12-2-2002.

*In testimony whereof I have herewith set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Aug. 30, 2005.*

**DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE**

**Int. Cl.: 19**

**Prior U.S. Cls.: 1, 12, 33 and 50**

**Reg. No. 2,864,842**

**United States Patent and Trademark Office**

**Registered July 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE GARAGE DOORS**

CLOPAY BUILDING PRODUCTS R&D COMPAN-  
NY, INC. (OHIO CORPORATION), DBA CLO-  
PAY BUILDING PRODUCTS COMPANY, INC.  
8585 DUKE BOULEVARD  
MASON, OH 450403101

FOR: NON-METAL GARAGE DOORS, IN CLASS  
19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 3-31-1998; IN COMMERCE 3-31-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE GARAGE DOORS, APART FROM  
THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 78-190,013, FILED 12-2-2002.

LINDA M. KING, EXAMINING ATTORNEY

**American Italian Pasta Company**

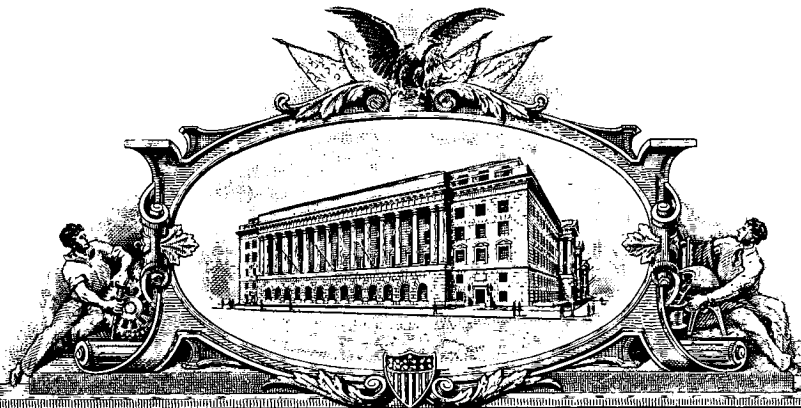
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 174**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,244,139 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM May 11, 1999**

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,244,139**

**United States Patent and Trademark Office**

**Registered May 11, 1999**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE FRIES**

**MCDONALD'S CORPORATION (DELAWARE  
CORPORATION)  
ONE MCDONALD'S PLAZA  
OAK BROOK, IL 60521**

**FOR: RESTAURANT SERVICES, IN CLASS  
42 (U.S. CLS. 100 AND 101).  
FIRST USE 2-0-1997; IN COMMERCE  
2-0-1997.**

**OWNER OF U.S. REG. NO. 1,502,592.  
NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "FRIES", APART FROM THE  
MARK AS SHOWN.  
SEC. 2(F).**

**SER. NO. 75-202,635, FILED 11-20-1996.**

**MICHAEL MASON, EXAMINING ATTORNEY**

**American Italian Pasta Company**

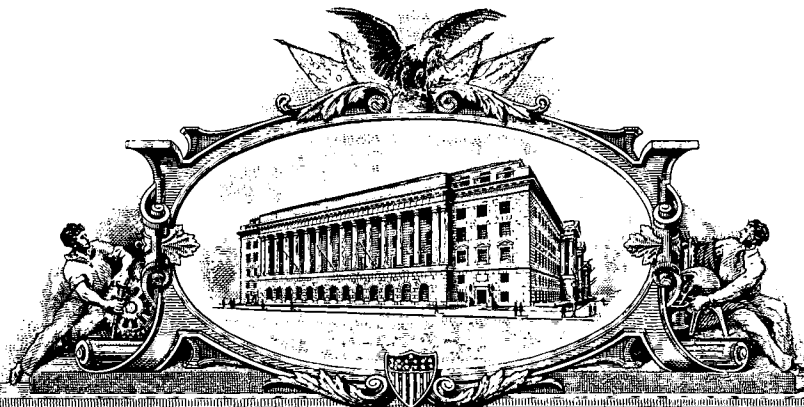
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 175**

7033018



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 03, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,360,994 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 27, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**

**Certifying Officer**





**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**Reg. No. 2,360,994**

**United States Patent and Trademark Office**

**Registered June 27, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE FRIES**

MCDONALD'S CORPORATION (DELAWARE CORPORATION)  
ONE MCDONALD'S PLAZA  
OAK BROOK, IL 60521

FOR: FRENCH FRIED POTATOES FOR CONSUMPTION ON AND OF THE PREMISES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 2-0-1997; IN COMMERCE 2-0-1997.

OWNER OF U.S. REG. NO. 1,502,592.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FRIES", APART FROM THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 75-202,636, FILED 11-20-1996.

MICHAEL MASON, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 176**

7033018

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,296,999 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *September 18, 1984*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *September 18, 2004*  
SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***CIRCLE LINE-SIGHTSEEING YACHTS, INC.  
A NY CORP***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**T. LAWRENCE**

**Certifying Officer**



Int. Cl.: 41

Prior U.S. Cl.: 107

**United States Patent and Trademark Office**

**Reg. No. 1,296,999**

**Registered Sep. 18, 1984**

**SERVICE MARK**  
**Principal Register**

**"AMERICA'S FAVORITE BOAT RIDE"**

Circle Line Sightseeing Yachts, Inc. (New York  
corporation)  
Foot of W. 43 St.  
New York, N.Y. 10036

For: SIGHTSEEING CRUISE SERVICES  
CONDUCTED ON YACHTS OR BOATS, in  
CLASS 41 (U.S. Cl. 107).

First use 1950; in commerce 1950.

No claim is made to the exclusive right to use  
"Boat Ride", apart from the mark as shown.  
Sec. 2(f).

Ser. No. 413,722, filed Feb. 16, 1983.

RUSS HERMAN, Examining Attorney

**American Italian Pasta Company**

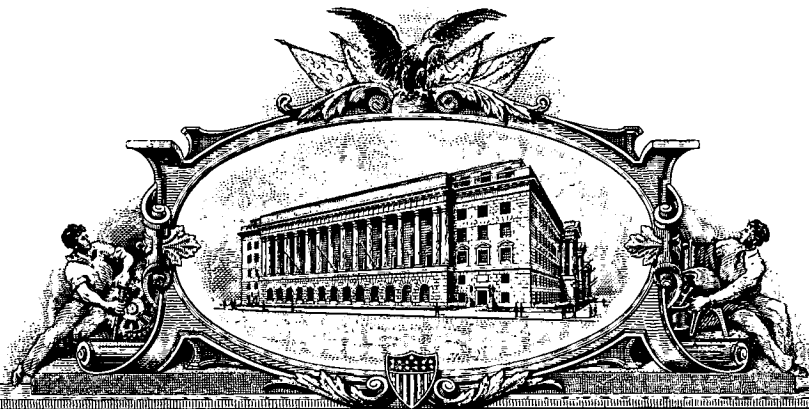
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 177**

7033013



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,956,254 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 24, 2005***

**SAID RECORDS SHOW TITLE TO BE IN:**

***TRACKER MARINE, L.L.C.***

***A MO LLC***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 12**

**Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44**

**United States Patent and Trademark Office**

**Reg. No. 2,956,254**

**Registered May 24, 2005**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE  
BOATS**

TRACKER MARINE, L.L.C. (MISSOURI LTD  
LIAB CO)  
2500 EAST KEARNEY  
SPRINGFIELD, MO 65809

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BOATS", APART FROM THE  
MARK AS SHOWN.

FOR: BOATS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31,  
35 AND 44).

FIRST USE 5-1-2002; IN COMMERCE 5-1-2002.

SER. NO. 78-410,557, FILED P.R. 4-29-2004; AM. S.R.  
2-8-2005.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

TARAH HARDY, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

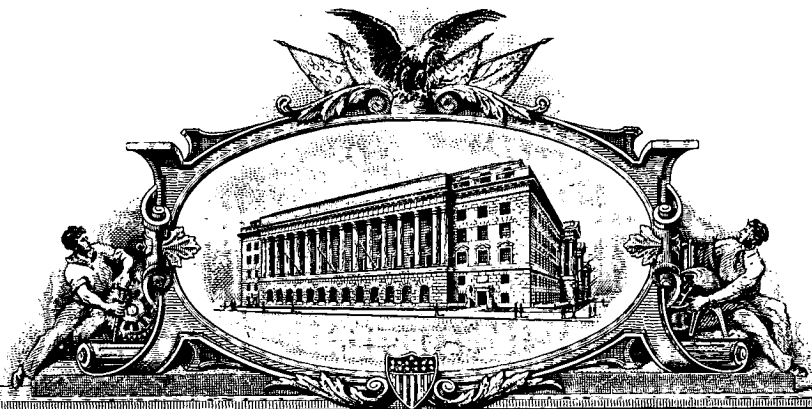
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 178**



7033013



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

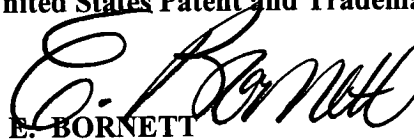
**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,901,133 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *November 09, 2004*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
E. BORNETT

**Certifying Officer**



**Int. Cl.: 16**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,901,133**

**Registered Nov. 9, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE SHOPPING NEWS**

CREATIVE MEDIA GROUP, INC. (NORTH CAROLINA CORPORATION)  
POST OFFICE BOX 2013  
MONROE, NC 28111

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AMERICA'S" AND "SHOPPING NEWS", APART FROM THE MARK AS SHOWN.

FOR: NEWSPAPER FEATURING ADVERTISEMENTS FOR THE SALE AND PROMOTION OF MERCHANDISE AND SERVICES, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

SER. NO. 76-449,651, FILED 9-11-2002.

FIRST USE 5-31-2002; IN COMMERCE 5-31-2002.

G. T. GLYNN, EXAMINING ATTORNEY

**American Italian Pasta Company**

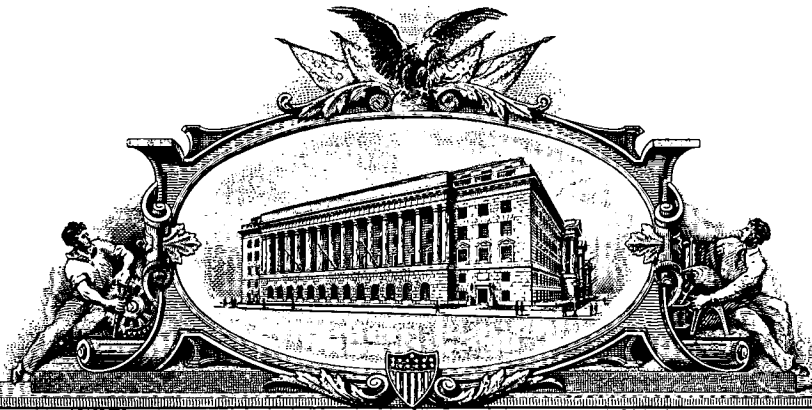
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 179**

7033013



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**


**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,762,465 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *September 09, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**W. MONTGOMERY**  
**Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,762,465**

**Registered Sep. 9, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**TUMARO'S AMERICA'S FAVORITE GOURMET TORTILLA**

TUMARO'S INC. (CALIFORNIA CORPORATION)  
5300 SANTA MONICA BOULEVARD  
LOS ANGELES, CA 90029

FOR: TORTILLAS AND CREPES, IN CLASS 30  
(U.S. CL. 46).

FIRST USE 4-16-2001; IN COMMERCE 4-16-2001.

OWNER OF U.S. REG. NOS. 1,893,236, 2,471,898,  
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE GOUR-  
MET TORTILLA", APART FROM THE MARK AS  
SHOWN.

SN 76-302,605, FILED 8-20-2001.

DARRYL SPRUILL, EXAMINING ATTORNEY

**American Italian Pasta Company**

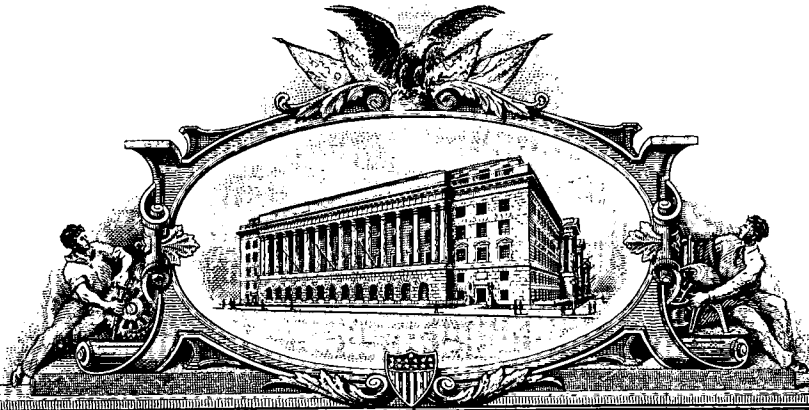
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 180**

7033013



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,760,452 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 02, 2003*

SAID RECORDS SHOW TITLE TO BE IN:

*SALT CITY COMPANY, INC.*

*A UTAH CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



**Int. Cl.: 4**

**Prior U.S. Cls.: 1, 6, and 15**

**United States Patent and Trademark Office**

**Reg. No. 2,760,452**

**Registered Sep. 2, 2003**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE HOME PARTY CANDLES**

MCWILLIS, DELMAR VANCE (UNITED STATES  
INDIVIDUAL)  
4276 WEST 8370 SOUTH  
WEST JORDAN, UT 84088

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "CANDLES", APART FROM THE  
MARK AS SHOWN.

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND  
15).

SER. NO. 76-318,546, FILED P.R. 9-26-2001; AM. S.R.  
5-8-2003.

FIRST USE 1-0-2001; IN COMMERCE 1-0-2001.

KELLEY WELLS, EXAMINING ATTORNEY



**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 181**

7033013

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

October 04, 2006

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,858,052 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *October 11, 1994***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *October 11, 2004***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

*Registrant*

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**E. BORNETT**

**Certifying Officer**



Int. Cl.: 42

Prior U.S. Cl.: 101

**United States Patent and Trademark Office** **Reg. No. 1,858,052**  
Registered Oct. 11, 1994

**SERVICE MARK**  
**PRINCIPAL REGISTER**

**AMERICA'S FAVORITE STORES FOR PEOPLE WHO LOVE TO  
MAKE MUSIC**

PAUL A. SCHMITT MUSIC COMPANY (MIN-  
NESOTA CORPORATION)  
88 SOUTH TENTH STREET  
MINNEAPOLIS, MN 55403

FIRST USE 3-0-1993; IN COMMERCE  
3-0-1993.

SER. NO. 74-450,417, FILED 10-25-1993.

FOR: RETAIL MUSIC STORE SERVICES, IN  
CLASS 42 (U.S. CL. 101).

GERALD C. SEEGARS, EXAMINING ATTOR-  
NEY

**American Italian Pasta Company**

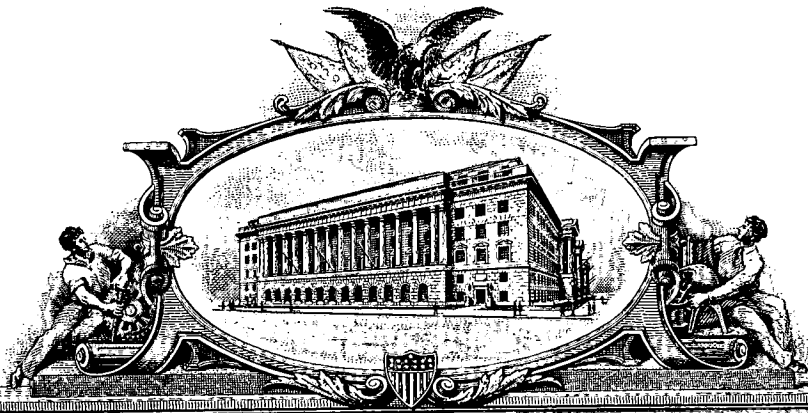
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 182**

7033013



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,961,590 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *June 07, 2005*

SAID RECORDS SHOW TITLE TO BE IN:

*JOHN KEELER & CO., INC.*

*A FL CORP*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

E. BORNETT

Certifying Officer



Int. Cl.: 29

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

**Reg. No. 2,961,590**

Registered June 7, 2005

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE  
CRABMEAT**

JOHN KEELER & CO., INC. (FLORIDA CORPORATION)

3000 NW 109 AVENUE

MIAMI, FL 33172

FOR: PACKAGED CRABMEAT; PASTEURIZED REFRIGERATED CRABMEAT; AND PASTEURIZED FROZEN CRABMEAT, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-0-2004; IN COMMERCE 3-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CRABMEAT", APART FROM THE MARK AS SHOWN.

SER. NO. 78-344,059, FILED P.R. 12-22-2003; AM. S.R. 1-20-2005.

CURTIS FRENCH, EXAMINING ATTORNEY

**American Italian Pasta Company**

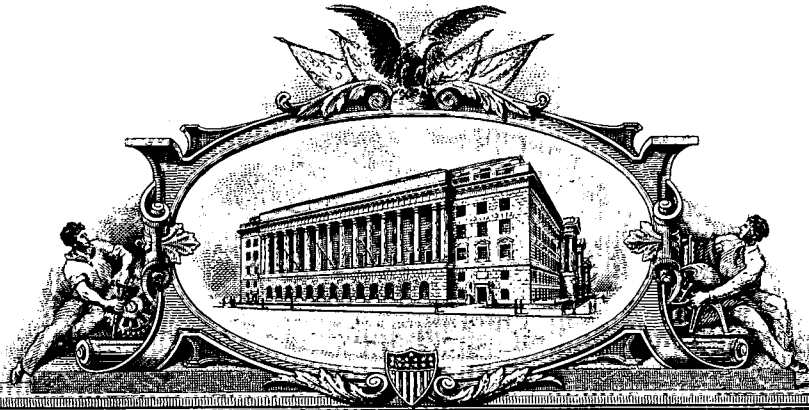
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 183**

7033013



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,419,870 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 09, 2001***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**

**Certifying Officer**





**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**Reg. No. 2,419,870**

**United States Patent and Trademark Office**

**Registered Jan. 9, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**TUMARO'S GOURMET TORTILLAS -- AMERICA'S FAVORITE**

TUMARO'S, INC. (CALIFORNIA CORPORATION)  
5300 SANTA MONICA BOULEVARD  
LOS ANGELES, CA 90029

FOR: TORTILLAS AND CREPES, IN CLASS 30  
(U.S. CL. 46).

FIRST USE 4-11-2000; IN COMMERCE 4-11-2000.  
OWNER OF U.S. REG. NOS. 1,893,236 AND  
2,133,513.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "GOURMET TORTILLAS- - AMERICA'S  
FAVORITE", APART FROM THE MARK AS  
SHOWN.

SN 75-618,178, FILED 1-11-1999.

ANGELA BISHOP WILSON, EXAMINING ATTOR-  
NEY

**American Italian Pasta Company**

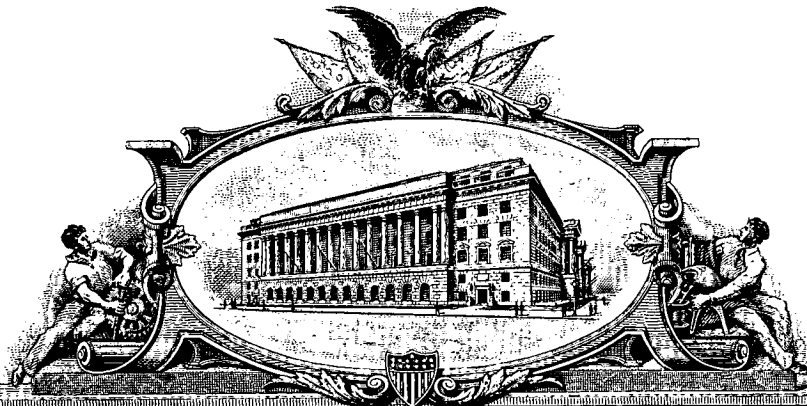
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 184**

7033013



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,367,259 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 11, 2000*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**E. BORNETT**

**Certifying Officer**



**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,367,259**

**United States Patent and Trademark Office**

**Registered July 11, 2000**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE ON-LINE SHRINK**

SEASTAR-TOOLS FOR CREATIVE WELLNESS (MISSISSIPPI CORPORATION)  
113-A SOUTH BEACH BLVD.  
BAY ST. LOUIS, MS 39520

FOR: PROVIDING A WEBSITE VIA A GLOBAL COMPUTER NETWORK FEATURING MOTIVATIONAL SELF-HELP AND SELF-AWARENESS PROGRAMS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 2-25-1999; IN COMMERCE 2-25-1999.  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ON-LINE", APART FROM THE MARK AS SHOWN.

SER. NO. 75-692,204, FILED P.R. 4-26-1999; AM. S.R. 4-26-2000.

PAM WILLIS, EXAMINING ATTORNEY

**American Italian Pasta Company**

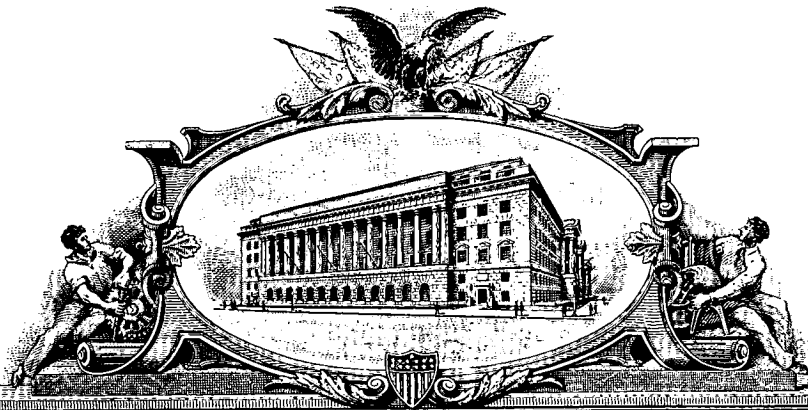
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 185**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,558,945 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 09, 2002***

**SAID RECORDS SHOW TITLE TO BE IN:**

***DOMINO'S PIZZA PMC, INC.***

***A MICHIGAN CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*H. L. Jackson*  
**H. L. JACKSON**

**Certifying Officer**

**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,558,945**

**Registered Apr. 9, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE PIZZA FEAST**

**DOMINO'S PIZZA PMC, INC. (MICHIGAN CORPORATION)**

**30 FRANK LLOYD WRIGHT DRIVE  
ANN ARBOR, MI 48106**

**FOR: PIZZA FOR CONSUMPTION ON OR OFF  
THE PREMISES, IN CLASS 30 (U.S. CL. 46).**

**FIRST USE 4-27-1992; IN COMMERCE 4-27-1992.**

**OWNER OF U.S. REG. NOS. 1,705,234, 1,825,321  
AND OTHERS.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE PIZZA",  
APART FROM THE MARK AS SHOWN.**

**SER. NO. 78-057,808, FILED 4-11-2001.**

**ELISSA GARBER KON, EXAMINING ATTORNEY**

**American Italian Pasta Company**

**v.**

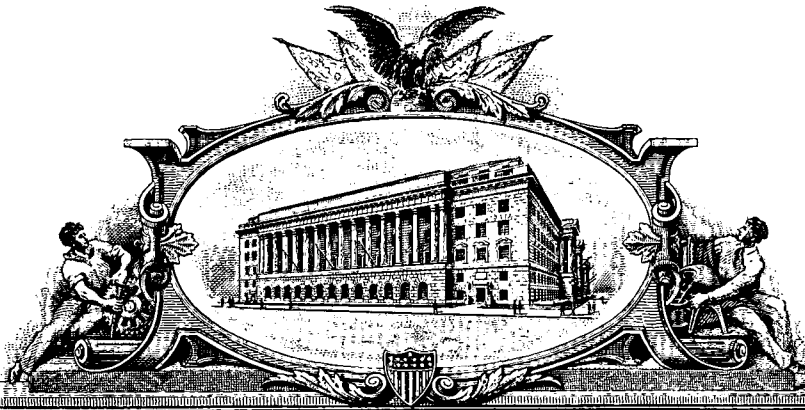
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 186**



7033005



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,586,743 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *June 25, 2002*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



**Int. Cl.: 41**

**Prior U.S. Cls.: 100, 101, and 107**

**United States Patent and Trademark Office**

**Reg. No. 2,586,743**

**Registered June 25, 2002**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE QUIZ SHOW**

JEOPARDY PRODUCTIONS, INC. (DELAWARE  
CORPORATION)  
10202 W. WASHINGTON BOULEVARD  
CULVER CITY, CA 90232

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "QUIZ SHOW", APART FROM  
THE MARK AS SHOWN.

FOR: ENTERTAINMENT SERVICES NAMELY,  
CONTINUING GAME SHOW DISTRIBUTED OVER  
TELEVISION, IN CLASS 41 (U.S. CLS. 100, 101 AND  
107).

SER. NO. 75-856,894, FILED P.R. 11-23-1999; AM.  
S.R. 6-27-2000.

FIRST USE 9-0-1997; IN COMMERCE 9-0-1997.

ANDREA SAUNDERS, EXAMINING ATTORNEY

**American Italian Pasta Company**

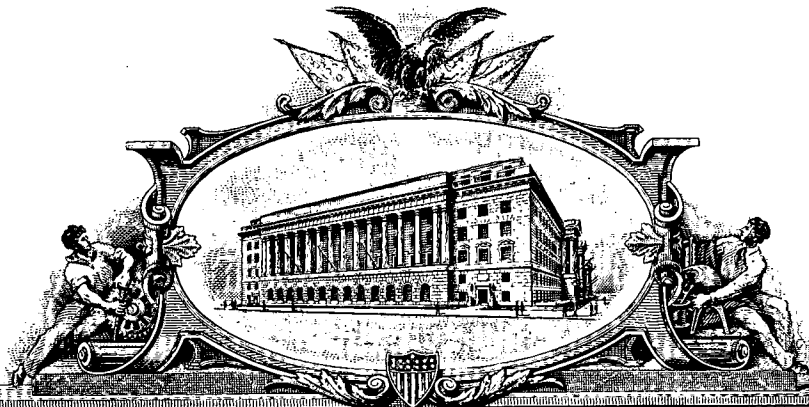
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 187**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,514,110 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *December 04, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**M. TARVER  
Certifying Officer**



**Int. Cl.: 38**

**Prior U.S. Cls.: 100, 101 and 104**

**United States Patent and Trademark Office**

**Reg. No. 2,514,110**

**Registered Dec. 4, 2001**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE MUSIC**

SOUNDS GOOD BROADCAST CONSULTANTS,  
INC. (DELAWARE CORPORATION)  
85 CREEKSIDE DRIVE  
HALF MOON BAY, CA 940192373

FOR: RADIO BROADCASTING SERVICES IN  
THE NATURE OF MUSICAL PROGRAMMING, IN  
CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 12-15-1992; IN COMMERCE 12-15-1992.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MUSIC", APART FROM THE  
MARK AS SHOWN.

SEC. 2(F).

SER. NO. 75-882,332, FILED 12-29-1999.

TANYA AMOS, EXAMINING ATTORNEY

**American Italian Pasta Company**

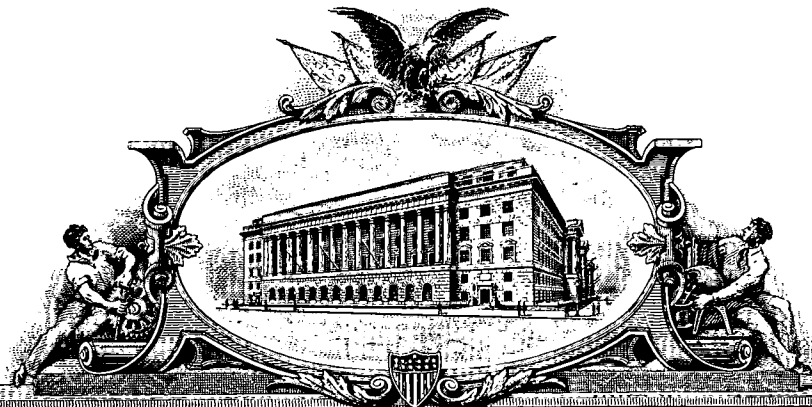
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 188**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

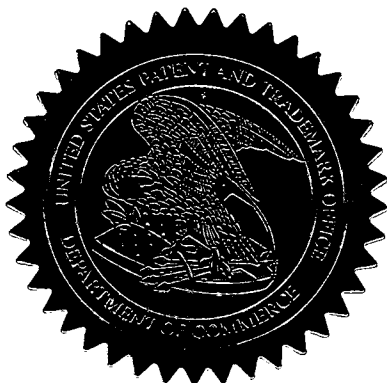
**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,390,933 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *October 03, 2000*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**M. TARVER  
Certifying Officer**



**Int. Cls.: 6, 19, 37 and 40**

**Prior U.S. Cls.: 1, 2, 12, 13, 14, 23, 25, 33, 50,  
100, 103 and 106**

**Reg. No. 2,390,933**

**United States Patent and Trademark Office**

**Registered Oct. 3, 2000**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**TEMO SUNROOMS "AMERICA'S FAVORITE ENVIRONMENT"**

TEMO SUNROOMS, INC. (MICHIGAN CORPORATION), DBA FORMERLY TEMO, INC.  
20400 HALL ROAD  
CLINTON TOWNSHIP, MI 48038

FOR: KITS CONSISTING OF PRE-MANUFACTURED RESIDENTIAL ROOM ADDITIONS MADE PRIMARILY OF METAL, NAMELY, PRE-MANUFACTURED SUNROOMS, SOLARIUM ENCLOSURES AND SCREENED ROOMS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 0-0-1996; IN COMMERCE 0-0-1996.

FOR: KITS CONSISTING OF PRE-MANUFACTURED RESIDENTIAL ROOM ADDITIONS MADE PRIMARILY OF NON-METAL MATERIALS, NAMELY, PRE-MANUFACTURED SUNROOMS SOLARIUM ENCLOSURES AND SCREENED ROOMS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FIRST USE 0-0-1996; IN COMMERCE 0-0-1996.

FOR: CUSTOM CONSTRUCTION OF RESIDENTIAL ROOM ADDITIONS, NAMELY, SUNROOMS, SOLARIUM ENCLOSURES AND SCREENED ROOMS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 0-0-1996; IN COMMERCE 0-0-1996.

FOR: CUSTOM MANUFACTURE OF PRE-FABRICATED KITS FOR RESIDENTIAL ROOM ADDITIONS, NAMELY, SUNROOMS, SOLARIUM ENCLOSURES AND SCREENED ROOMS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 0-0-1996; IN COMMERCE 0-0-1996.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SUNROOMS", APART FROM THE MARK AS SHOWN.

SER. NO. 75-606,188, FILED 12-11-1998.

JENNIFER DIXON, EXAMINING ATTORNEY



**American Italian Pasta Company**

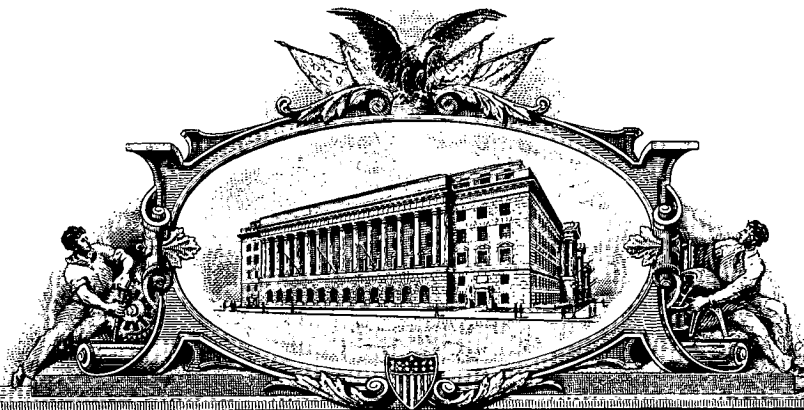
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 189**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,706,118 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 15, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**M. TARVER  
Certifying Officer**



Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 2,706,118**

**Registered Apr. 15, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE BOUNDARY WATERS JOURNAL THE MAGAZINE OF  
AMERICA'S FAVORITE WILDERNESS AREA**

THE BOUNDARY WATERS JOURNAL (MINNESOTA CORPORATION)  
9396 ROCKY LEDGE ROAD  
ELY, MN 55731

FOR: PROMOTING THE GOODS AND SERVICES OF OTHERS THROUGH MAGAZINE ADVERTISING BY DIRECT MAIL, ELECTRONIC DISSEMINATION OF ADVERTISING MATTER, TRADE SHOWS AND VIA GLOBAL COMPUTER NETWORK; MAIL ORDER CATALOG SERVICES FEATURING SWEATSHIRTS, T-SHIRTS, MAGAZINE BINDERS, CANOE PACKS, PADDLES, TARPS, FOOD BOXES, COMPRESSION SACKS, PACK LINERS, CANOE SEAT PADS, ANCHOR BAGS, PACK HANGERS, SLED DOG EQUIPMENT, UTENSIL ROLLS, AXES, SAWS, FRY PAN COVERS AND COOK KIT COVERS, WILD RICE, FRY BREADS, CHOWDER, MAPS AND BOOKS; ARRANGING OF SUBSCRIPTIONS

FOR THE PUBLICATIONS OF OTHERS; PROVIDING MAGAZINE SUBSCRIPTION SERVICES FOR OTHERS VIA GLOBAL COMPUTER NETWORK, DIRECT MAIL, ELECTRONIC BILLBOARD, TRADE SHOWS AND ADVERTISING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-1-1986; IN COMMERCE 3-1-1987.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JOURNAL", APART FROM THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 76-217,835, FILED 3-1-2001.

EUGENIA MARTIN, EXAMINING ATTORNEY

**American Italian Pasta Company**

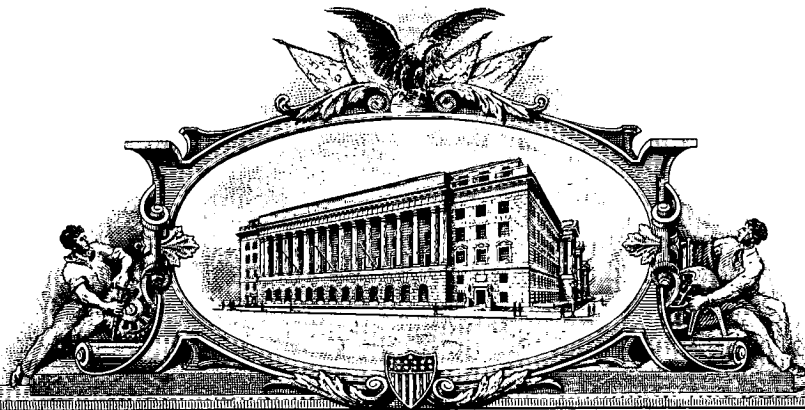
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 190**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,164,875 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 09, 1998***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*H. L. Jackson*  
**H. L. JACKSON**  
**Certifying Officer**

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 2,164,875**

**Registered June 9, 1998**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITES MADE FRESH**

**CULVER ENTERPRISES, INC. (WISCONSIN  
CORPORATION)  
827 WATER STREET  
SAUK CITY, WI 53583**

**FOR: RESTAURANT SERVICES, IN CLASS  
42 (U.S. CLS. 100 AND 101).**

**FIRST USE 1-1-1997; IN COMMERCE  
1-1-1997.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S", APART FROM  
THE MARK AS SHOWN.**

**SER. NO. 75-247,743, FILED P.R. 2-25-1997;  
AM. S.R. 3-17-1998.**

**JULIA HARDY COFIELD, EXAMINING AT-  
TORNEY**

**American Italian Pasta Company**

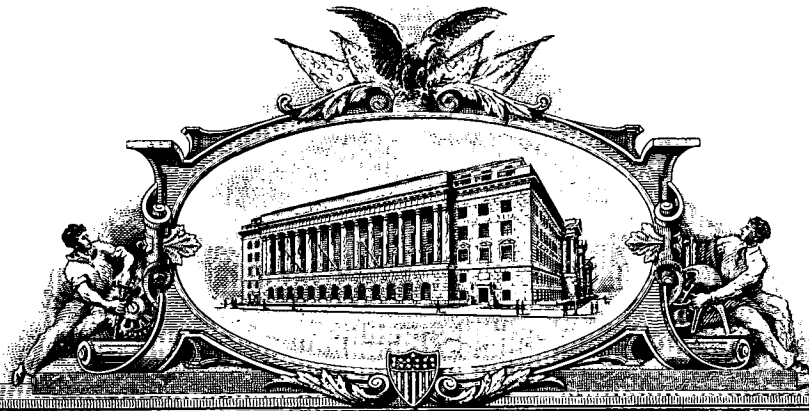
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 191**

7033005



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,154,372 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 28, 1998***

**SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***SARA LEE FOODS, INC.***

***A DELAWARE CORPORATION***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**H. L. JACKSON**

**Certifying Officer**





**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**Reg. No. 2,154,372**

**United States Patent and Trademark Office**

**Registered Apr. 28, 1998**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE CORN DOG**

STATE FAIR FOODS, INC. (TEXAS CORPORATION)  
SUITE 304  
4639 IRVING BOULEVARD  
DALLAS, TX 75247

FIRST USE 10-21-1996; IN COMMERCE  
10-21-1996.

SER. NO. 75-241,284, FILED P.R. 2-13-1997;  
AM. S.R. 2-13-1998.

FOR: CORN DOGS, IN CLASS 29 (U.S. CL. 46).

LINDA M. DWYER, EXAMINING ATTORNEY

**American Italian Pasta Company**

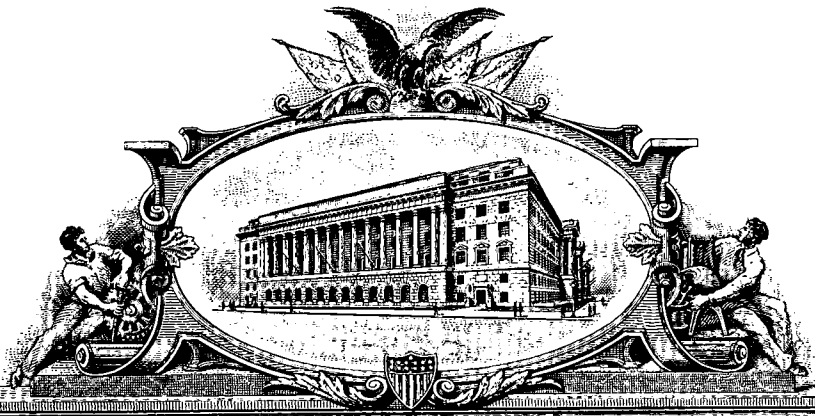
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 192**

7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,711,987 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 29, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**M. TARVER  
Certifying Officer**



**American Italian Pasta Company**

**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 193**

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

**United States Patent and Trademark Office**

**Reg. No. 2,711,987**

**Registered Apr. 29, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**CHECKS - AMERICA'S FAVORITE WAY TO PAY**

CHECK PAYMENT SYSTEMS ASSOCIATION,  
INC. (NEW YORK CORPORATION)  
1200 19TH STREET, N.W., SUITE 300  
WASHINGTON, DC 20036

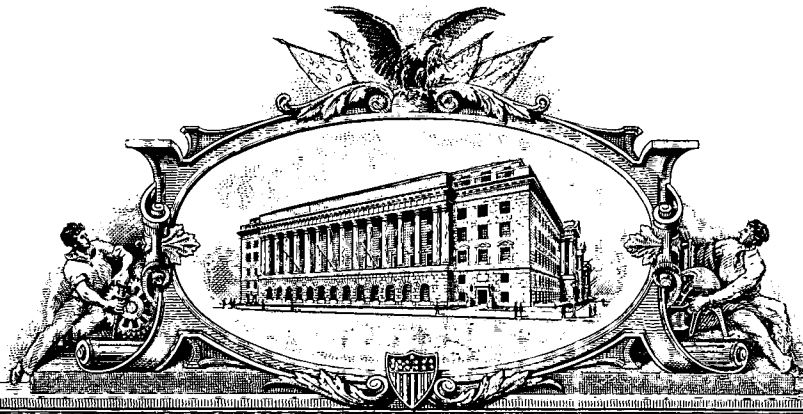
FIRST USE 7-0-2002; IN COMMERCE 5-0-2002.

SN 76-281,377, FILED 7-6-2001.

FOR: ASSOCIATION SERVICES, NAMELY PRO-  
MOTING THE INTERESTS OF THE PAPER CHECK  
INDUSTRY, IN CLASS 42 (U.S. CLS. 100 AND 101).

KELLEY WELLS, EXAMINING ATTORNEY

7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,299,622 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *December 14, 1999*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**M. K. CARTER**

**Certifying Officer**

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,299,622

**United States Patent and Trademark Office**

Registered Dec. 14, 1999

**TRADEMARK  
PRINCIPAL REGISTER**



OHIO PIZZA PRODUCTS INC. (OHIO CORPORATION)  
1522 MANCHESTER ROAD  
DAYTON, OH 454490127

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE  
FOODS", APART FROM THE MARK AS  
SHOWN.

FOR: PIZZA CRUST MIX, GARLIC SAUCE  
AND CHEDDAR SAUCE, IN CLASS 30 (U.S. CL.  
46).

FIRST USE 2-17-1992; IN COMMERCE  
2-17-1992.

SER. NO. 75-501,805, FILED 6-15-1998.

ANDREW EHARD, EXAMINING ATTORNEY

**American Italian Pasta Company**

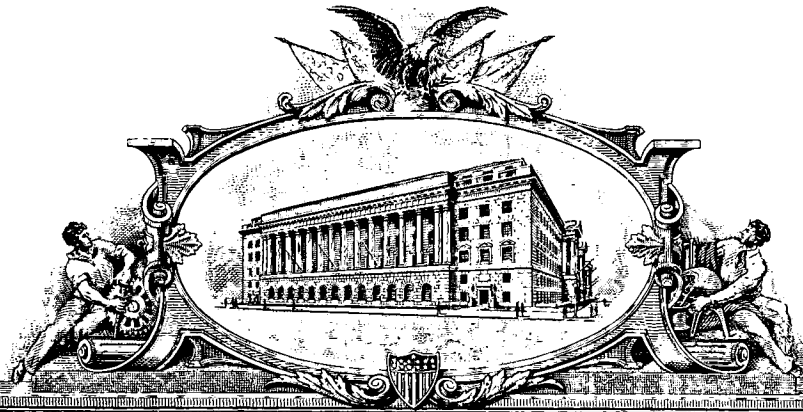
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 194**

7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**


**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,722,791 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 03, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**M. K. CARTER  
Certifying Officer**



**Int. Cls.: 30 and 31**

**Prior U.S. Cls.: 1 and 46**

**United States Patent and Trademark Office**

**Reg. No. 2,722,791**

**Registered June 3, 2003**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE FLAVORS**

HOUSTON HARVEST GIFT PRODUCTS LLC  
(ILLINOIS LTD LIAB CO)  
3501 MOUNT PROSPECT ROAD  
FRANKLIN PARK, IL 60131

FOR: SNACK FOODS, NAMELY, POPPED POP-  
CORN AND MICROWAVE POPCORN, IN CLASS 30  
(U.S. CL. 46).

FIRST USE 10-0-2001; IN COMMERCE 10-0-2001.

FOR: RAW POPCORN (PLAIN KERNELS), IN  
CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 12-5-2002; IN COMMERCE 12-5-2002.

SER. NO. 76-281,737, FILED P.R. 7-6-2001; AM. S.R.  
12-16-2002.

DARLENE BULLOCK, EXAMINING ATTORNEY

**American Italian Pasta Company**

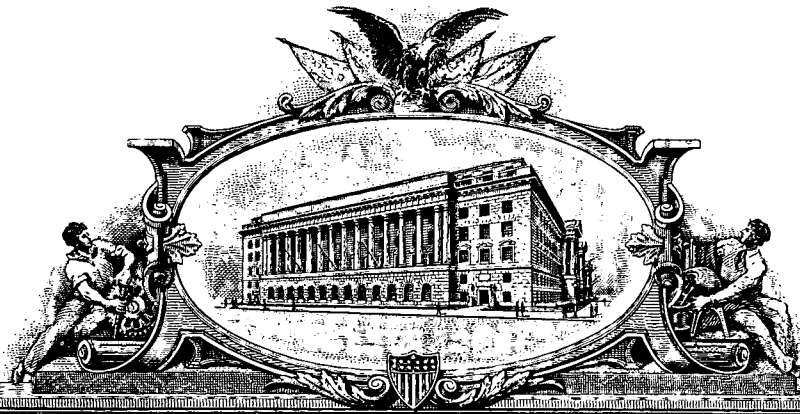
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 195**

7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,791,773 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY NOT RENEWED.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *September 07, 1993***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***DOMINO'S PIZZA PMC, INC.***

***A MICHIGAN CORP***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**M. K. CARTER**  
**Certifying Officer**

Int. Cl.: 30

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

Reg. No. 1,791,773

Registered Sep. 7, 1993

**TRADEMARK  
PRINCIPAL REGISTER**

**America's Favorite Pizza Feast**

DOMINO'S PIZZA, INC. (MICHIGAN CORPORATION)  
30 FRANK LLOYD WRIGHT DRIVE  
P.O. BOX 997  
ANN ARBOR, MI 481060997

FOR: PIZZA FOR CONSUMPTION ON OR  
OFF THE PREMISES, IN CLASS 30 (U.S. CL. 46).  
FIRST USE 4-27-1992; IN COMMERCE  
4-27-1992.

OWNER OF U.S. REG. NO. 1,700,700.  
NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE  
PIZZA", APART FROM THE MARK AS  
SHOWN.

SER. NO. 74-270,458, FILED 4-29-1992.

WILLIAM P. SHANAHAN, EXAMINING ATTORNEY

**American Italian Pasta Company**

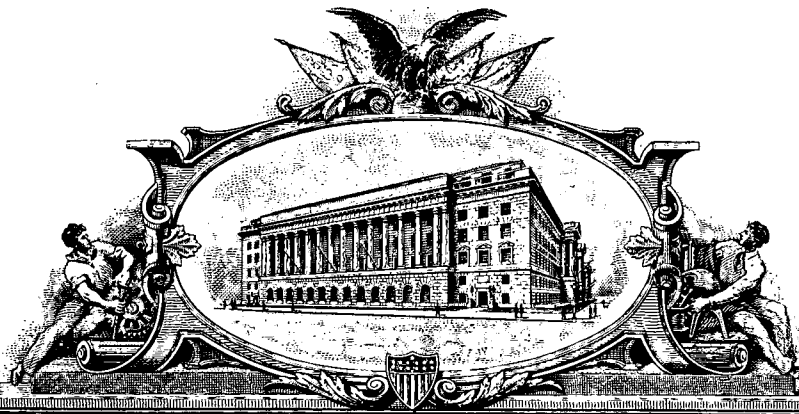
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 196**

7033007



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 12, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,932,044 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *March 08, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



  
M. K. CARTER  
Certifying Officer

**Int. Cl.: 43**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 2,932,044**

**Registered Mar. 8, 2005**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE SANDWICH PLACE**

SIMONE, JOSEPH (UNITED STATES INDIVIDUAL)  
52 SAILFISH DRIVE  
BRIGANTINE, NJ 08203

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "SANDWICH PLACE", APART  
FROM THE MARK AS SHOWN.

FOR: RESTAURANT SERVICES; CATERING  
SERVICES; TAKE OUT FOOD SERVICES, IN CLASS  
43 (U.S. CLS. 100 AND 101).

SER. NO. 76-554,508, FILED P.R. 10-27-2003; AM.  
S.R. 11-12-2004.

FIRST USE 1-16-2004; IN COMMERCE 1-16-2004.

ALICE BENMAMAN, EXAMINING ATTORNEY

**American Italian Pasta Company**

**v.**

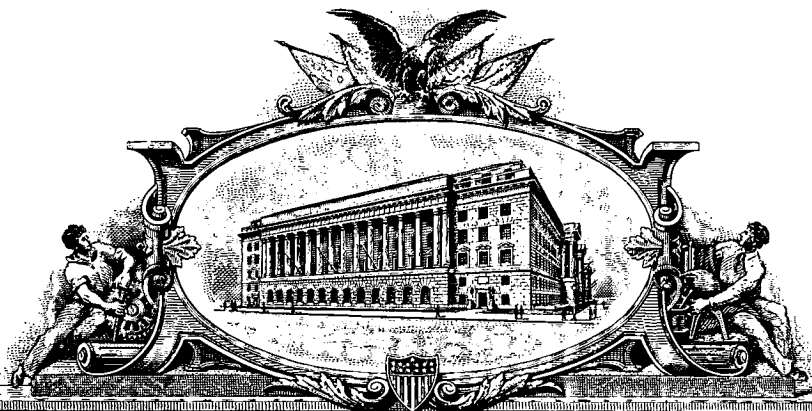
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 197**



7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,624,014 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *November 20, 1990***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *November 20, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***CONDOTELS INTERNATIONAL, INC.***

***A SOUTH CAROLINA CORP***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**M. K. CARTER**

**Certifying Officer**

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office** **Reg. No. 1,624,014**  
**Registered Nov. 20, 1990**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE VACATION LIFESTYLE**

CONDOTELS OF AMERICA, INC. (SOUTH  
CAROLINA CORPORATION)  
P.O. BOX 3196  
2703 S. HIGHWAY 17  
NORTH MYRTLE BEACH, SC 29582

FIRST USE 10-6-1988; IN COMMERCE  
10-6-1988.

SER. NO. 73-820,561, FILED 8-21-1989.

FOR: CONDOMINIUM LEASING AND MAN-  
AGEMENT SERVICES, IN CLASS 36 (U.S. CLS.  
100, 101 AND 102).

G. MAYERSCHOFF, EXAMINING ATTORNEY

**American Italian Pasta Company**

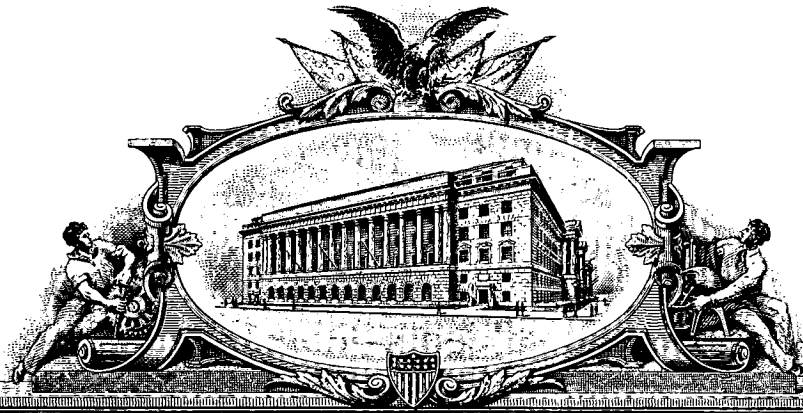
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 198**

7033007



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,125,087 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *August 01, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**M. K. CARTER  
Certifying Officer**

**Int. Cl.: 43**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,125,087**

**Registered Aug. 1, 2006**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE  
CHEESECAKE**

COPELAND'S CHEESECAKE BISTRO, LLC  
(LOUISIANA CORPORATION)  
1001 HARIMAW CT. SOUTH  
METAIRIE, LA 70001

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: RESTAURANT SERVICES, IN CLASS 43  
(U.S. CLS. 100 AND 101).

SER. NO. 78-549,463, FILED P.R. 1-18-2005; AM. S.R.  
6-2-2006.

FIRST USE 6-1-2006; IN COMMERCE 6-1-2006.

JOHN WILKE, EXAMINING ATTORNEY

**American Italian Pasta Company**

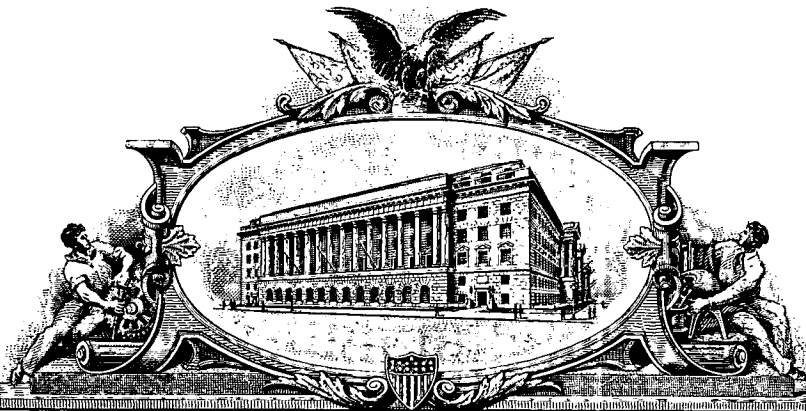
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 199**

7033011



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,997,476 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 20, 2005*

SAID RECORDS SHOW TITLE TO BE IN:

*TRACKER MARINE, L.L.C.*

*A MISSOURI LIMITED LIABILITY COMPANY*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



*M. Tarver*

M. TARVER

Certifying Officer

**Int. Cl.: 12**

**Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44**

**United States Patent and Trademark Office**

**Reg. No. 2,997,476**

**Registered Sep. 20, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**

**TRACKER AMERICA'S  
FAVORITE BOATS**

**TRACKER MARINE, L.L.C. (MISSOURI LTD  
LIAB CO)**

**2500 EAST KEARNEY**

**SPRINGFIELD, MO 65809**

**FOR: BOATS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31,  
35 AND 44).**

**FIRST USE 5-1-2002; IN COMMERCE 5-1-2002.**

**THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "AMERICA'S FAVORITE BOATS",  
APART FROM THE MARK AS SHOWN.**

**SER. NO. 78-410,564, FILED 4-29-2004.**

**BRIAN NEVILLE, EXAMINING ATTORNEY**



**American Italian Pasta Company**

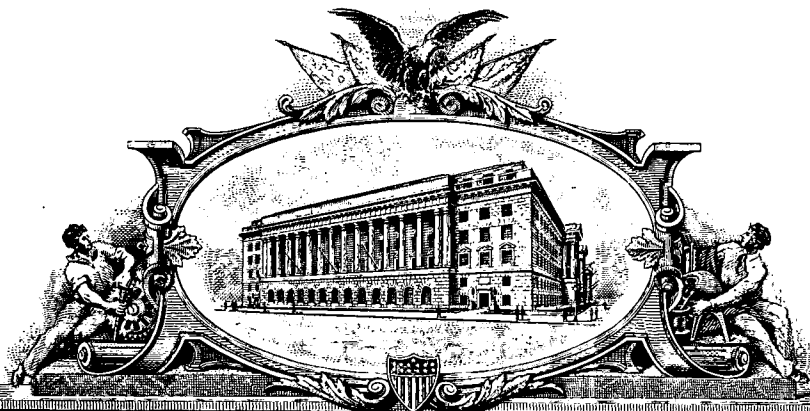
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 200**

7033009



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,689,567 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 18, 2003*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*M. Tarver*

**M. TARVER  
Certifying Officer**



**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,689,567**

**Registered Feb. 18, 2003**

**TRADEMARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE**

RECKITT BENCKISER INC. (DELAWARE COR-  
PORATION)  
1655 VALLEY ROAD  
WAYNE, NJ 07474

OWNER OF U.S. REG. NO. 1,668,714.

SER. NO. 78-075,143, FILED P.R. 7-23-2001; AM. S.R.  
10-14-2002.

FOR: MUSTARD, IN CLASS 30 (U.S. CL. 46).

FIRST USE 12-29-2000; IN COMMERCE 12-29-2000. DAVID TAYLOR, EXAMINING ATTORNEY

**American Italian Pasta Company**

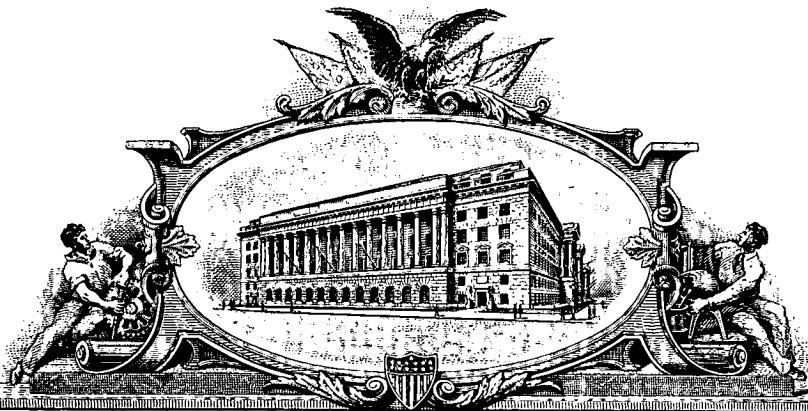
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 201**

7033009



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 04, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,810,310 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *December 07, 1993***

**SECTION 8**

**CANCELLED SECTION 8**

**CLASS(ES) CANCELLED:**

***INT. CLASS 038***

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*M. Tarver*

**M. TARVER**

**Certifying Officer**

**Int. Cl.: 38**

**Prior U.S. Cl.: 104**

**United States Patent and Trademark Office**

**Reg. No. 1,810,310**

**Registered Dec. 7, 1993**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE MUSIC**

**SOUNDS GOOD BROADCAST CONSULTANTS,  
INC. (DELAWARE CORPORATION)  
85 CREEKSIDE DRIVE  
HALF MOON BAY, CA 94019**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MUSIC", APART FROM THE  
MARK AS SHOWN.**

**FOR: RADIO BROADCASTING SERVICES IN  
THE NATURE OF MUSICAL PROGRAMMING,  
IN CLASS 38 (U.S. CL. 104).**

**SER. NO. 74-389,085, FILED P.R. 5-10-1993;  
AM. S.R. 9-27-1993.**

**FIRST USE 12-15-1992; IN COMMERCE  
12-15-1992.**

**DOMINIC J. FERRAIUOLO, EXAMINING AT-  
TORNEY**

**American Italian Pasta Company**

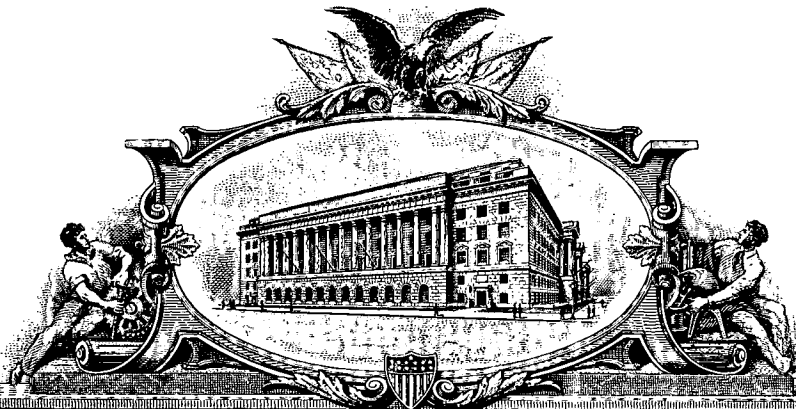
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 202**

7033010



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,601,596 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *June 12, 1990***

**1st RENEWAL FOR A TERM OF 10 YEARS FROM *June 12, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**





**M. K. CARTER**

**Certifying Officer**



**Int. Cl.: 42**

**Prior U.S. Cl.: 100**

**United States Patent and Trademark Office** **Reg. No. 1,601,596**  
**Registered June 12, 1990**

**SERVICE MARK  
PRINCIPAL REGISTER**

**AMERICA'S FAVORITE NEIGHBOR**

APPLEBEE'S INTERNATIONAL, INC. (DELA-  
WARE CORPORATION)  
TWO PERSHING SQUARE, SUITE 900  
2300 MAIN STREET  
KANSAS CITY, MO 64108

FIRST USE 7-17-1989; IN COMMERCE  
7-17-1989.

SER. NO. 73-833,532, FILED 10-24-1989.

FOR: RESTAURANT AND CARRYOUT  
SERVICES, IN CLASS 42 (U.S. CL. 100).

G. MAYERSCHOFF, EXAMINING ATTORNEY

**American Italian Pasta Company**

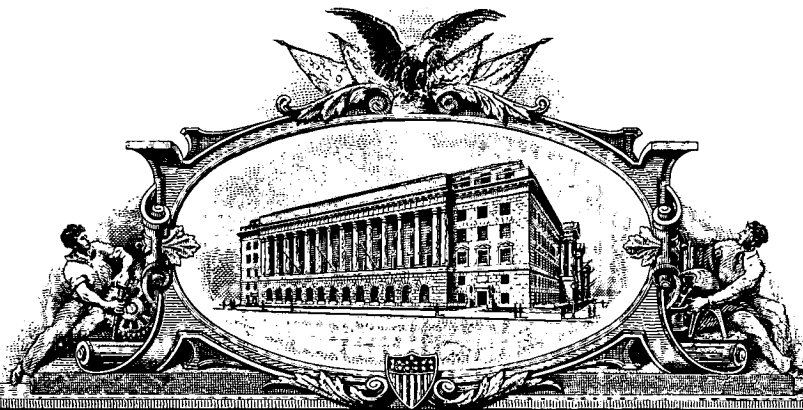
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 203**

7033010



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

October 04, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,209,885 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY CANCELED.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 08, 1998*

*CANCELLED SECTION 8*

SAID RECORDS SHOW TITLE TO BE IN:

*Registrant*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*E. Bornett*  
E. BORNETT

Certifying Officer



Int. Cls.: 35 and 42

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,209,885

**United States Patent and Trademark Office**

Registered Dec. 8, 1998

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

*Atlantic City*  
AMERICA'S FAVORITE PLAYGROUND

ATLANTIC CITY CONVENTION CENTER AUTHORITY (NEW JERSEY INDEPENDENT AUTHORITY), DBA ATLANTIC CITY CONVENTION & VISITORS AUTHORITY,  
2314 PACIFIC AVENUE  
ATLANTIC CITY, NJ 08401

FOR: CO-OPERATIVE ADVERTISING AND MARKETING, AND PUBLIC RELATIONS SERVICES FOR CONVENTION AND VISITORS' FACILITIES; CONCESSION STANDS FEATURING FOOD AND BEVERAGES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-10-1995; IN COMMERCE 3-10-1995.

FOR: PROVIDING CONVENTION AND EXHIBITION FACILITIES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-10-1995; IN COMMERCE 3-10-1995.

SER. NO. 75-373,700, FILED P.R. 10-6-1997; AM. S.R. 9-8-1998.

PAUL F. GAST, EXAMINING ATTORNEY

**American Italian Pasta Company**

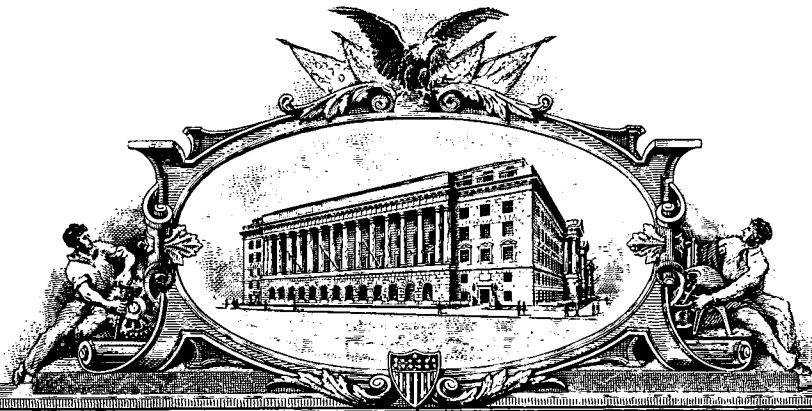
**v.**

**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 204**

7033010



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 05, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 782,607 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE AND  
SUBSEQUENTLY NOT RENEWED.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *December 29, 1964*  
1st RENEWAL FOR A TERM OF 20 YEARS FROM *December 29, 1984*  
SECTION 8**

**SAID RECORDS SHOW TITLE TO BE IN:**

***BEER NUTS, INC.***

***A CORP OF ILLINOIS***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE**

**Certifying Officer**



# United States Patent Office

782,607  
Registered Dec. 29, 1964

## SUPPLEMENTAL REGISTER Trademark

Ser. No. 177,222, filed P.R. Sept. 18, 1963;  
Am. S.R. July 16, 1964

### AMERICA'S FAVORITE NUTS

Beer Nuts, Inc. (Delaware corporation)  
505 N. Prairie St.  
Bloomington, Ill.

For: SHELLED AND SALTED PEANUTS, in CLASS  
46.  
First use Apr. 28, 1960; in commerce Apr. 28, 1960.

**American Italian Pasta Company**

**v.**

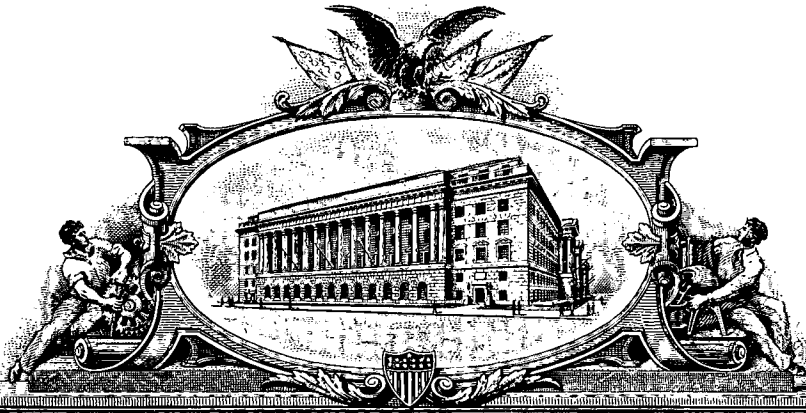
**Barilla Alimentare S.P.A.**

***Opposition No. 91161373***

**Opposer's Exhibit 205**



7033010



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 10, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,667,446 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *December 24, 2002*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*T. Wallace*  
**T. WALLACE**

**Certifying Officer**



**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,667,446**

**Registered Dec. 24, 2002**

**SERVICE MARK  
SUPPLEMENTAL REGISTER**

**AMERICA'S FAVORITE DOWN PAYMENT GIFT PROGRAM**

AMERICAN FAMILY FUNDS, INC. (ALABAMA  
CORPORATION)  
3800 AIRPORT BLVD.  
SUITE 303  
MOBILE, AL 36608

FOR: ADMINISTRATION OF PROGRAMS TO  
ASSIST HOME BUYERS IN OBTAINING DOWN  
PAYMENT ASSISTANCE FROM NON-PROFIT OR-  
GANIZATIONS , IN CLASS 36 (U.S. CLS. 100, 101  
AND 102).

FIRST USE 3-8-2001; IN COMMERCE 5-1-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "FAVORITE DOWN PAYMENT  
GIFT PROGRAM", APART FROM THE MARK AS  
SHOWN.

SER. NO. 78-092,948, FILED P.R. 11-13-2001; AM.  
S.R. 9-5-2002.

FLORENTINA BLANDU, EXAMINING ATTORNEY